THE BOMBAY IRRIGATION ACT, 1879 (BOM. VII OF 1879).

G. N., P. W. D., No. 10, dated 11th May 1881.

Modified by G. N., P. W. D., No. 74, dated 4th October 1887.

Under section 4 of the Bombay Irrigation Act (No. VII of 1879), the Right Honourable the Governor in Council is pleased to invest the following officers with the powers named in the sections set against each :—

(1) Assistant or Deputy Collectors—for sections 9, 26, 34, 58 and 63.

*(2) Assistant Engineers and Upper Subordinates in charge of Irrigation operations acting under the orders of the Executive Engineers—for section 27.

(3) Mamlatdars, Mahalkaris and Mukhtyarkars—for sections 9, 58 and 63.

(4) Villages Officers—for section 9.

G. N., P. W. D., No. 4962/27, dated 5th January 1932 (B. G., Pt. I, p. 55). S. 4(b)

In exercise of the powers conferred by clause (*b*) of section 4 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), and in modification of Government Notifications in the Public Works Department, No. 10, dated the 11th May 1881, and No. 2, dated the 27th March 1905, and in supersession of Government Notification in the Public Works Department, No. 4962/27, dated the 14th May 1931, the Governor in Council is pleased to invest the following officers with the powers of Canal Officers under the sections of the said Act specified against them in respect of irrigation works in the Deccan and Gujarat :—

	Sections.
(1) Assistant Executive Engineers and Assistant Engineers in charge of Irrigation works *in right of their offices* ...	6 to 10, 13, 14, 21, 27, 31, 34 and 63.
(2) Assistant Executive Engineers and Assistant Engineers in charge of Irrigation works *acting under the orders of Executive Engineers* ...	25, 26 and 58.
(3) Upper Subordinates in charge of Irrigation works *acting under the orders of Executive Engineers* ...	6, 7, 9, 25, 26, 27, 34, 58 and 63.

G. N., P. W. D., No. 73, dated 4th October 1887 (B. G., Pt. I, p. 837). S. 4

In supersession of Notifications in the Public Works Department (Irrigation), No. 20 of 13th December 1879 and No. 1 of 4th February 1880, the Governor in Council is pleased, under section 4 of the Bombay Irrigation Act (No. VII of 1879), to appoint Superintending Engineers and Executive Engineers to be Canal Officers in respect of all irrigation works within their respective Divisions† or Executive Districts‡ and to invest them with all the powers and duties of Canal Officers under the said Act.

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* So far as the irrigation works in the Deccan and Gujarat are concerned, this part has been modified, *vide* G. N., P. W. D., No. 4962/27, dated 5th January 1932.

† Now "Circles".

‡ Now "Divisions".

S. 4 **G. N., P. W. D., No. 2, dated 27th March 1905 (B. G., Pt. I, p. 403).**

In exercise of the powers conferred by section 4 of the Bombay Irrigation Act, VII of 1879, the Governor in Council is pleased to invest Assistant Engineers and Upper Subordinates in charge of Irrigation operations, *acting under the orders of Executive Engineers* with all the powers specified in sections 6, 7, 9, 25, 26, 34, 58 and 63 of the said Act.‡

S. 4 **G. N., R. D., No. 8558/24/(a), dated 15th April 1936 (B. G., Pt. I, p. 657).**

In exercise of the powers conferred by section 4 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), the Governor in Council is pleased to appoint the Mamlatdar of Sangamner in the Ahmednagar District to be *ex-officio* Canal Officer for the purposes of Part X of the said Act, and to authorise him to exercise the powers conferred upon a Canal Officer by sections 76, 77, 78, 79 and 86 of the said Act.

S. 4 (b) **G. N., R. D., No. 5093/33, dated 16th April 1943 (B. G., Pt. IV-B, p. 180).**

In exercise of the powers conferred by clause (*b*) of section 4 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), the Government of Bombay is pleased to invest the Deputy Engineer in charge of the Haveri Irrigation Sub-Divisional Office with powers under section 86 of the said Act in respect of the Second Class Irrigation works within his jurisdiction.

Ss. 61 & 70 **G. N., P. W. D., No. M. 2995, dated 19th March 1917 (B. G., Pt. I).**

In exercise of the powers conferred by sections 61 and 70 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), the Governor in Council is pleased to make the following rule :—

(1) No person shall

(*a*) pass or cause animals or vehicles to pass, in or across the bank or the land adjoining the bank of Lake Fife ; or

(*b*) do any act which directly or indirectly fouls the said bank or land or the water of the lake.

(2) Any person doing any act in contravention of sub-rule (1) shall be liable to a fine of Rs. 50, or to imprisonment for one month or to both.

S. 70 **G. N., P. W. D., No. C. W. 6543, dated 30th March 1920 (B. G., 1920, Pt. I).**

In exercise of the powers conferred by section 70 of the Bombay Irrigation Act, 1879 (VII of 1879), the Governor in Council is pleased to make the following rules for regulating the supply of water to the Civil Station* and Municipal District of Ratnagiri, namely :—

1. *Administration.*—The Executive Engineer, Ratnagiri District, is responsible for all matters connected with the Ratnagiri Water Supply except for the assessment and recovery of water charges for water supplied to the municipality.

‡ So far as the irrigation works in the Deccan and Gujarat are concerned, this notification has been modified by G. N., P. W. D., No. 4962/27, dated 5th January 1932, printed on page 137 *Supra*.

* For revised rate for the water supplied at the civil station, Ratnagiri, see G. R., P. W. D., No. 3501, dated the 21st April 1927 printed on page 141 *infra*.

2. *Rates.*—All water supplied shall be charged for at the rate of annas 4 per 1,000 gallons according to the amount consumed as registered by a meter, except in cases provided for by the special orders of the State Government.

3. *Attachments.*—(*a*) Applications for new attachments to the water mains shall be made to the Executive Engineer, Ratnagiri District.

(*b*) Whenever such attachment is to be made in the Municipal District, the application shall be forwarded through the municipality.

(*c*) An application for a new attachment shall be made by the owner of the property to be supplied, who will be required to sign an agreement promising to pay for the water supply at the rates sanctioned by the State Government from time to time, and to observe the rules for the time being in force relating to water-supply.

(*d*) The attachment may be sanctioned by the Executive Engineer, Ratnagiri District, except where the sanction of a higher authority is required by any rule or order.

(*e*) Attachments to water mains will always be made by the Public Works Department.

(*f*) The following fees shall be paid in advance before any such attachment is made :—

	Rs.	a.	p.
$\frac{3}{8}$ inch attachment	1	0	0
$\frac{1}{2}$ inch attachment	1	0	0
$\frac{3}{4}$ inch attachment	1	8	0.
1 inch attachment	2	0	0
$1\frac{1}{2}$ inch attachment	4	0	0

(*g*) The applicant shall bear the cost of the connections with the premises and shall lay down the service pipes for which work he shall employ plumbers approved by the Executive Engineer ; the final connection between the private service pipes and the main shall not be made until the work has been inspected and passed by the Executive Engineer or his authorised agent.

(*h*) The owner shall provide one cast iron plug cock of suitable size for every attachment. This cock shall be fixed on the upstream side of the meter where meters are used, and in other cases in a position selected by the Executive Engineer or his authorised agent ; the cock shall be worked only by the Public Works Department.

4. *Stoppage of connection by request.*—When a house becomes unoccupied or when a supply is not required, the owner of the house shall at once inform in writing the Public Works Department Sub-Divisional Officer when the connection will be stopped ; the connection will be re-opened when desired without any charge. In the absence of such intimation the owner shall be liable for the charge for any water registered by the meter, though the house has been unoccupied.

5. *Meters.*—(*a*) Meters and meter boxes will be provided, fixed and maintained at the expense of the State Government. No meter rent will be charged.

(*b*) The meter shall, wherever practicable, be placed inside the premises to which the water is supplied.

(*c*) The owner of the premises shall be liable for any damage to or loss of the meter, meter fittings or meter boxes and for the cost of all repairs except those due to fair wear and tear.

(*d*) The owner shall keep the meter box in a clean state, and if he fails to do so, any expense incurred in removing dirt, etc., to enable the readings to be taken will be included in his bill.

(*e*) If on examination any meter is found to be out of order and consequently not registering correctly, the consumption during the period from the last reading till the attachment of a correct meter shall be calculated at the average daily consumption of the last correctly registered period, or between the same dates in the previous year, or of any period during which in the opinion of the Executive Engineer the consumption would probably have been the same.

6. *Presentation and payment of bills.*—(*a*) Water charges shall be paid monthly on bills prepared by the Public Works Department Sub-Divisional Officer, Ratnagiri. The amount due shall be paid within 20 days from the date on which the bill is presented.

(*b*) In order to facilitate the adjustment of accounts between landlords and tenants, the Executive Engineer shall, when requested in writing, furnish a memorandum showing the consumption and probable charges on account of water-rate for any broken period of the month since the preparation of the last bill.

7. *Power to stop connection.*—The Executive Engineer shall have power to cut off the connection between the private pipe and the public main in any of the following events :—

(*a*) In default of payment of water-rates or of any bills submitted on account of repairs to meters, etc., within 20 days after the same shall have been demanded in writing.

(*b*) If any house-owner or occupier who is supplied with water shall, without the previous sanction of the Executive Engineer, permit the supply of water to persons other than those residing on the premises or shall use the water for purposes in violation of the conditions on which it is granted, provided that six days printed or written notice is previously given from the Executive Engineer's office.

Note.—" Conditions " mean conditions applied by the Executive Engineer.

(*c*) In case of leakage of pipes or other defects in the private service arrangements likely to cause loss to the State Government, provided that 48 hours' notice be given previously from the Executive Engineer's office.

(*d*) If water not charged for by meter shall be allowed to run to waste after the owner or the occupier shall have been warned by printed or written notice from the Executive Engineer's office not to allow it to do so.

(*e*) In case of broken pipes or fittings causing loss of water likely to cause damage to property, after such notice as may be possible has been given.

(*f*) In any case of refusal to allow the Executive Engineer, or his authorised agent, to enter on any land or building for the purpose of inspecting service pipes, and fittings, etc., for reading and repairing meters, or for any other work in connection with the water-supply.

(*g*) If the house-owner shall fail to imbed pipes which are exposed or lie above the ground surface or to remove pipes from situations where, in the Executive Engineer's opinion, the water-supply is liable to contamination, in each case within a period of 48 hours from the date of issue of a written notice from the Executive Engineer's office.

(*h*) If any new service pipes shall be laid or any material extension of or alteration to a private water connection pipe, etc., shall be carried out without the previous sanction of the Executive Engineer or by any other person than a plumber licensed by the Executive Engineer.

(*i*) If a pump, or any other contrivance for increasing the supply of water through a pipe shall be connected to a service pipe.

Note.—Where the supply is given through the Municipality, notices and warnings under clause (*b*), (*c*), (*d*), (*e*), (*g*) will usually be served through the Municipality.

8. *Power to open roads.*—The Executive Engineer shall have the power to open any road for the purpose of laying new mains or for any purpose in connection with the distribution of water, and shall be responsible for the efficient repair of the road, or of any drain or structure that has to be opened or removed for the purposes stated.

9. *Tanks.*—Tanks for storing water from attachments to the water mains shall not be fixed without the previous sanction of the Executive Engineer.

10. *Excess over free supply.*—Persons or institutions entitled to free water-supply shall be limited to a definite quantity to be decided by Government in each case, and any excess shall be charged for at four annas per 1,000 gallons.

11. *Liability for charges.*—(*a*) Owners of properties shall be solely responsible for the payment of all charges preferred under these rules. The Executive Engineer may receive payment from an agent or a tenant duly authorised by the owner of the property to make such payment; the owner shall in any case be held responsible in default of payment by such agent or tenant.

(*b*) If any payment due under these rules on a house or property which is sold or whose ownership is transferred, remains in arrears, the supply of water may be stopped until the arrear is paid.

12. *Charge for water wasted or unauthorisedly used.*—In the event of any water being wasted or used in an unauthorised manner, the owner shall be liable to be charged, a sum not exceeding three times the rate chargeable for the water estimated by the Executive Engineer to have been wasted, or used in an unauthorised manner.

Note.—'Unauthorised' means without the previous permission of the Executive Engineer.

13. *Penalties.*—Any person committing any of the breaches specified in clauses (*b*), (*c*), (*g*), (*h*) and (*i*) of rule 7 and in rule 9, shall, on conviction by a Magistrate, be liable to the penalty provided in section 61 of the Bombay Irrigation Act, 1879, provided that nothing herein contained shall be deemed to affect the liability of such person to prosecution under any other enactment.

(G. R., P. W. D., No. 3801, dated 21st April 1927.)

Resolution.—Government are pleased to direct that the present method of payment by meter for the water supplied at the Civil Station, Ratnagiri, should be changed to that of payment by the size of the pipes. The rates to be charged should be as under:—

	Rs.
for a half inch connection	18 per annum.
for a three-fourths inch connection	36 „ „
for a one inch connection	60 „ „
and for a one and half inch connection	120 „ „

2. The new method of payment should be brought into force as early as possible.

3. The meters that will fall out of use owing to the introduction of the new system should be disposed of to the best advantage of Government.

4. A report on the financial results of the water-works should be submitted to Government for information after one year's working of the new system.

5. The proposal made by the Executive Engineer, Ratnagiri Division, in paragraph 3 of his letter No. Rat-26, dated 31st July 1926, to charge the Mental Hospital in future for the water supplied to that institution, is approved. The

Surgeon General with the Government of Bombay should be requested to arrange for the necessary payment according to the sizes of the pipes used at the rates mentioned in paragraph 1 of this Resolution).

S. 70. **G. N., P. W. D., No. 401/27, dated 27th July 1936 (B. G., Pt. I, pp. 1406 to 1409).**

In exercise of the powers conferred by section 70 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), and in supersession of Government Notifications in the Public Works Department Nos. A. 98, A. I. 8639, and C. W. 1695, dated 16th October 1901, 3rd September 1917, and 30th January 1922, respectively, Government are pleased to prescribe the following rules for regulating the supply of water to the Military Cantonment and the Civil Station of Poona, namely :—

1. The Executive Engineer, Poona Water Works Division, hereinafter called the "Executive Engineer", is responsible for all matters connected with the Poona water supply and to certain outside areas supplied from the Government Water Works.

2. All water supplied shall be charged for according to the amount consumed, as registered by a meter except—

(*a*) in cases covered by rule 10, or

(*b*) in cases provided for by the special orders of the State Government.

3. (1) Applications for attachments and detachments to the water mains shall be made to the Executive Engineer.

(2) Where the application is made by the owner of the property, it may, except where the sanction of a higher authority is required by any rule or order, be granted by the Executive Engineer on the applicant's signing an agreement promising to pay for the water-supply at the rates sanctioned by the State Government from time to time and to observe the rules for the time being in force relating to the supply of water.

(3) Where the application is made by a person other than the owner of the property, it may, subject to the conditions of the preceding sub-rule be sanctioned at the discretion of the Executive Engineer provided that three months water rates as estimated by him in accordance with rules 6, 7 or 10 are paid in advance as a deposit. The usual water rates in this case shall be paid by the applicant on the prescribed dates under the rules and, if not paid may be recovered from the deposit, the balance of the deposit if any shall be returneed only after the attachment is closed and all arrears of water rates are paid.

4. (1) Attachments to the water mains will always be made by the Executive Engineer, Poona Water Works Division, according to specifications which may be laid down from time to time.

(2) The following fees shall be paid in advance before any such attachment is made :—

	Rs.
3/8"	4
1/2"	5
3/4"	6
1"	8
1½"	14

Connection for 2" and above will be charged as per estimate on application.

(2-A) In case the attachment is cut off for non-payment of fees or for any other cause the following penalty shall be paid in advance before the water-supply is opened :—

	Rs.
3/8"	2
1/2"	3
3/4"	3
1"	4
1½"	5

(3) All service pipes from the connection on a Government water main to the premises of a house or bungalow must be laid by the owners of the properties according to the specifications of the Executive Engineer through the agency of the Plumbers licensed by him.

(4) All cocks and taps attached to service pipes in houses or bunglows must be of the screwdown pattern and not of the plug pattern.

5. When an application for closing a water connection is made, the applicant may at his option pay, in advance, a fee at half the rates fixed as per paragraph 4 (2-A) above for reopening the connection subsequently. This amount will cover the cost of closing and reopening the water-supply.

(*a*) In case an owner provides a stop-cock on the service pipe at a reasonable distance from a Government water main behind the meter no detachment fee shall be charged in case any repairs to the service pipe system are required to be carried out but an intimation to the Executive Engineer should invariably be given before any such repairs are carried out.

6. Water supplied and sold by meter shall be charged at the rate of annas 8 per 1,000 gallons or at such revised rates as shall be sanctioned by the State Government from time to time.

The total monthly charge under this rule shall be in addition to the rent charged for the meter and shall be subject to the following minima :—

	Rs.
3/8"	2 per month.
1/2"	3 per month.
3/4"	6 per month.
1"	9 per month.

7. Meters will be provided and fixed at the expense of the State Government and rent shall be charged as follows :—

Rent for Meter.

	Rs. a. p.
3/8"	0 8 0
1/2"	0 8 0
3/4"	0 12 0
1"	1 0 0
1½"	1 8 0
2"	2 0 0
2½"	2 8 0
3"	3 0 0
4"	4 0 0

8. The meter shall wherever practicable be fixed close to the premises of a house or within a bungalow compound or at the site shown by the owner, his agent or any responsible person, at whose instance water is supplied and the owner of the premises shall be liable for any damage to the meter and for the cost of all repairs except those due to fair wear and tear. The owner shall keep the meter box in a clean condition and if he fails to do so any expense incurred in cleaning it to enable the reading to be taken will be separately billed for and recovered from him.

9. If, on examination, any meter is found to be out of order and consequently not registering correctly, the consumption during the period since the last reading till a proper meter is attached shall be calculated at the average daily consumption of the last registered period, or of the same period of the previous year or any period during which in the opinion of the Executive Engineer the consumption was most likely to be similar.

10. (1) For small houses in bazars and their vicinities and in special cases for certain small houses without gardens elsewhere, water shall be charged for according to the diameter of the attachment to the water main as follows :—

	Rs.
For 3/8″ attachment or tap	.. 1 per mensem.
For ½″ attachment or tap	.. 2 per mensem.

(2) The above rate shall be paid for the draw off from one point only, i.e., from one stand post, one tap or any other method of draw off from the private pipe attached to the Government water main. The rate for each tap from tank, cistern or houd shall be the same as for each tap from a pipe connection.

(3) The same rates shall be paid for every additional stand post, tap or other method of draw off from the same attachment.

(4) If an owner fails to intimate that he has increased the number of his taps he will be charged for the additional taps from the date of the previous verification of taps.

11. (1) When a house is unoccupied and the owner is not in receipt of rent for the property, only one-half of the rates prescribed in rule 10 shall be charged from the date of receipt of a written initmation to that effect in the office of the Executive Engineer. The intimation should be repeated (if the house remains vacant) at the commencement of each succeeding quarter. The concession is inadmissible for properties which remain partially open.

(2) The Executive Engineer may, if he considers it advisable, order the attachment to an unoccupied house to be closed in which case no charge shall be made for water. The charge for renewing the attachment to the premises shall be made in accordance with the procedure laid down in rule 4 (2-A).

(3) If a tap is not required the owner may remove the same and fix an iron plug in its place. When this is done no charge will be made from the date on which a written intimation is received in the office of the Executive Engineer and verification to that effect is made.

12. (1) If the Executive Engineer considers it advisable, a meter may be fixed to the service pipe from any attachment charged for in accordance with rule 10 and after 24 hours' notice the charge for the water-supply may be made in accordance with rules 6 and 7 and 7 (*a*).

(2) Similarly in cases in which water is charged for in accordance with rule 6, the Executive Engineer may remove the meter when requested to do so by the house owner, provided the Executive Engineer is satisfied that the removal of the meter is not likely to reduce the charges for water consumed below the sanctioned rate.

13. (1) Rates charged under rule 10 shall be payable in advance in four equal quarterly instalments not later than 15th April, 15th July, 15th October and 15th January. Should a refund be claimed under rule 11, it will be granted for period of not less than half a month.

(2) In the case of charges under rules 6 and 7 bills are prepared in the office of the Executive Engineer in the name of the landlord generally and in the name of tenant if connection is given to him on his responsibility after receiving a deposit and posted monthly. In the case of metered connections the water-rate month covers the period from 21st of one month to the 20th of the succeeding month.

(3) In order to facilitate the adjustment of accounts between landlords and tenants, the Executive Engineer will when called upon in writing by the landlord furnish a memorandum showing the consumption and probable charge on account of water-rate and meter rent for any broken period of the month or quarter since the preparation of bill for the preceding month or quarter.

14. The Executive Engineer shall have power to cut the service pipe between a private pipe and a Government water main in any of the following events :—

(*a*) In default of payment of water rates and meter rents or of any bill submitted on account of repairs to meters within twenty days after the same has been demanded in writing.

(*b*) If any house owner or occupier who is supplied with water under rule 6 or rule 10 shall, without the previous sanction of the Executive Engineer, permit the supply of water to persons other than those residing on the premises or shall use the water for purposes in violation of the conditions for which it is supplied provided that six days' printed or written notice is previously given from the Executive Engineer's Office.

(*c*) In the case of leakage of pipes or other defects in the private service arrangements likely to cause loss to the State Government.

(*d*) If water shall be allowed to run to waste after the owner or the occupier shall have been warned in a printed or written notice from the Executive Engineer's office not to allow it to do so.

(*e*) In the case of broken pipes or fittings causing loss of water likely to cause damage to property after such notice as may be possible has been given.

(*f*) In case of refusal to allow the Executive Engineer or his authorised agents to enter on any land or building for the purpose of insepcting service pipes, fittings, etc., or to take meter readings.

(*g*) If the house owner fails to embed pipes which are exposed or lie above the ground surface in a manner approved of by the Executive Engineer or to remove pipes from situations in which in the Executive Engineer's opinion the water-supply is liable to contamination or refuses to clean pipes which are obstructing and contaminating the water-supply in each case within a period of forty-eight hours from the date of issue of a written notice from the Executive Engineer's office.

(*h*) If any new service pipes are laid or any extension or alteration or repairs to service pipes is carried out by any other person than a plumber licensed by the Executive Engineer.

(*i*) If a pump or any other contrivance for increasing the supply of water through a pipe be connected to the service pipe of a house.

15. The Executive Engineer shall have power to open any road for the purpose of laying new mains, service pipes to private houses or for any other purpose in connection with the distribution of water and shall be responsible for the efficient repairs to the roads, drains or any structure that has to be removed in order to carry out the work referred to.

16. Tanks for storing water from unmetered attachments to the water mains shall not be fixed without the sanction of the Executive Engineer, if so fixed, the owner will be liable to be charged, at the discretion of the Executive Engineer, for taking water in an unauthorised manner from the date of the previous verification of taps.

17. Persons entitled to free water-supply shall be limited to a definite quantity to be decided by the State Government in each case and excess shall be charged for at annas 8 per 1,000 gallons.

18. (1) Subject to rule 3 (3) owners of property shall be solely responsible for the payment of all charges preferred under the above rules. The Executive Engineer may however receive payment by an agent or a tenant duly authorised by the owner of the property who in any case shall be held responsible in default of payment by his agent or tenant.

(2) If any payments due under these rules on a house or property which is sold or whose ownership is transferred remain in arrears the supply of water shall be stopped until the arrears are paid.

19. In the event of any water being wasted or used in an unauthorised manner, the owner shall be liable to be charged a sum not exceeding three times the value of the water estimated by the Executive Engineer to have been wasted or used in an unauthorised manner.

20. If the owner or a tenant of the premises considers that the meter fixed to his attachment is not registering correctly and requires the same to be tested, this will be done on his paying a meter testing fee as follows :—

	Rs.
3/8″ meter, 1/2″ meter, 3/4″ meter, 1″ meter	3
1½″ meter, 2″ meter, 2½″ meter	5
3″ meter, 3½″ meter, 4″ meter	10

If the meter on testing is found to register incorrectly the testing fee will be refunded and the water rate bill amended at the discretion of the Executive Engineer.

If the meter is found to register correctly the meter testing fee so paid will be forfeited.

21. Contractors applying for a temporary connection on their own behalf for construction purposes will be required to pay a deposit and the usual attachment fee in advance. The amount of deposit to be fixed by the Executive Engineer. The Military, Civil or Local authorities requesting attachments on behalf of contractors will be held responsible for the payment of all charges in connection with attachment and water consumption.

22. Any person committing a breach of clause (*b*), clause (*c*), clause (*h*) or clause (*i*) of rule 14 or of rule 16 shall on conviction by a Magistrate be liable to the penalty provided in section 61 of the Bombay Irrigation Act, 1879 : provided that nothing herein contained shall be deemed to affect the liability of such person to prosecution under any other enactment.

23. If any unauthorised connection be made to the Government water mains or private pipe between the Government main and the meter with the object of getting water without payment in whole or in part, the owner of the property concerned shall be liable to prosecution under section 379 of the Indian Penal Code.

G. N., P. W. D., No. 1250/36, dated 18th February 1938 (B. G., Pt. I, p. 328). **S. 70.**

In exercise of the powers conferred under section 70 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), and in supersession of Government Notification in the Revenue Department, No. 5716/24, dated 11th February 1931, the Government of Bombay is pleased to make the rules for regulating the supply of water to the Military Cantonment and Civil Station of Poona, sanctioned under Government Notification, Public Works Department, No. 401/27,* dated 27th July 1936, and published at pages 1406–1409 of Part I of the *Bombay Government Gazette*, dated 30th July 1936, applicable for regulating the supply of water to the Military Cantonment of Kirkee and the Civil Station of Kirkee including Bopodi, Chikalwadi and Pashan.

G. N., P. W. D., No. 2353/27, dated 4th January 1934 (B. G., Pt. I, p. 25). **S. 70. Bombay Canal Rules, 1934.**

Amended by G. N., P. W. D., No. 2353/27, dated 26th February 1934.
Amended by G. N., P. W. D., No. 2353/27, dated 23rd August 1934.
Amended by G. N., P. W. D., No. 2353/27, dated 19th December 1934.
Amended by G. N., P. W. D., No. 2353/27, dated 19th March 1935.
Amended by G. N., P. W. D., No. 9571/27, dated 3rd July 1936.
Amended by G. N., P. W. D., No. 263/36, dated 13th April 1938.

In exercise of the powers conferred by section 70 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), and in supersession of Government Notification in the Public Works Department, No. 1556, dated the 19th December 1922, the Governor in Council is pleased to make the following rules for the administration of canals in the State of Bombay with effect from the 15th February 1934, namely :—

*Printed on page 142 *supra*.

THE BOMBAY CANAL RULES, 1934.

PART I.

PRELIMINARY.

1. *Short title.*—These rules may be called the Bombay Canal Rules, 1934.

2. *Definitions.*—In these rules unless there be something repugnant in the subject or context—

(*a*) "The Act" means the Bombay Irrigation Act, 1879.

(*b*) "Block" means the whole area of certain specified land to which the block system is applied.

(*c*) "Block conditions" means the special conditions prescribing, regulating or restricting the irrigated cultivation which may be carried on within a block.

(*d*) "Block period" means the period for which a supply of water is sanctioned under the block system.

(*e*) "Block rate" means a fixed uniform annual rate per acre levied for the supply of water to a block.

(*f*) "Block system" means a system under which a supply of water is provided for carrying on irrigated cultivation under certain conditions throughout a block for a period of years.

(*g*) "Cold weather season" means the period in the districts of Ahmedabad, Kaira, Broach and Panch Mahals and Surat, from the 16th November, and elsewhere, from the 15th October, till the 14th February ensuing.

(*h*) "Executive Engineer" means the Executive Engineer in charge of Irrigation in any area and includes any officer duly empowered in that behalf.

(*i*) "Form" means a form prescribed by these rules.

(*j*) "Fruit block" means a block in which the irrigation of long-term fruit trees is permitted.

(*k*) "Garden block" means a block in which the irrigation, throughout the year, of crops other than sugarcane, pan or long-term fruit trees is permitted.

(*l*) "Hot weather crop" means a crop grown within the period between the end of the cold weather season and the break of the monsoon season.

(*m*) "Hot weather season" means the period from the 15th February till the 14th June ensuing.

(*n*) "Kharif crop" means a crop grown within the period from the break of the monsoon season to the beginning of the cold weather season.

(*o*) "Monsoon season" means the period from the 15th June till the 15th November ensuing in the case of the districts of Ahmedabad, Kaira, Broach and Panch Mahals and Surat, and till the 14th October ensuing elsewhere.

(*p*) " Outlet " means an opening through which water passes from a Government canal, branch cannal or distributary to a private water course.

(*q*) " Pass " means a written order issued to any person authorising him to receive a supply of water from a canal.

(*r*) " Perennial crop " means a crop which is irrigated continuously for a period of more than eight months.

(*s*) " Plot " means one of two or more portions into which a piece of land is divided for the purpose of irrigation, each of such portions being provided with a separate inlet for irrigation water.

(*t*) " Prescribed " means prescribed by these rules.

(*u*) " Rabi crop " means a crop grown within the period between the 15th September and the end of Febraury next following.

(*v*) " Seasonal crop " means a crop which is sown, cultivated and reaped during a particular season of the year.

(*w*) " Section " means a section of the Act.

(*x*) " Sub-Divisional Officer " means the Sub-Divisional Officer, in charge of irrigation in any area, subordinate to the Executive Engineer.

(*y*) " Sugarcane block " means a block in which the irrigation of sugarcane is permitted.

(*z*) " Superintending Engineer " means the Superintending Engineer in charge of Irrigation in any area.

(*aa*) " Two season block " means a block in which irrigation during the monsoon and the cold weather seasons is permitted.

(*bb*) " Two season crop " means a crop the period of growth of which extends over the whole or part of both the monsoon and the cold weather seasons.

(*cc*) " Unit " means one of two or more plots, each of a standard area, into which a piece of land is divided, such sub-division being maintained for a number of years.

(*dd*) " Unitized " means divided into units.

3. *Exemptions.*—The State Government may by notification in the *Bombay Government Gazette* exempt any canal from the operation of all or any of these rules.

PART II.

Supply of Water.

4. *Applications under section 27 : how to be made.*—(1) Every application for a supply of water for the purpose of irrigation shall be made in duplicate to the Executive Engineer.

(2) Such application may be delivered personally or sent by post to the Executive Engineer or to any officer authorised by him to receive it.

(3) Such application shall be made, in the case of—

(*a*) Two season blocks, in Form I ;

(*b*) Sugarcane blocks, in Form II or III, according as the sugarcane area permitted to be grown in the block is to be limited to 1/3rd or 1/4th of the block area ;

(*c*) Fruit blocks, in Form IV ;

(*d*) Garden blocks, in Form V ;

(*e*) Additional waterings, in Form VI ; and

(*f*) Any other form of supply, in Form VII.

(4) Printed blank copies of the prescribed forms of applications shall be supplied to intending applicants free of charge.

(5) An application for a supply of water for any purpose other than irrigation shall be made by a letter addressed to the Executive Engineer.

5. *Dates for applications.*—(1) The Executive Engineer shall, by notification published in a manner prescribed by the State Government by general or special order in this behalf, fix for each canal the date for submission of each of the prescribed applications. Any change in any of such dates shall be notified not less than three months in advance : Provided that if in any year a change is deemed to be advisable on account of unforeseen seasonal or economic conditions or changes in administrative arrangements, a later date may be fixed without such three months' previous notification.

(2) Every application for a supply of water for the purpose of irrigation shall be made in the form prescribed on or before the date fixed under sub-rule (1) for the submission of such applications :

Provided that if an application is received after such date and the Executive Engineer is satisfied that the delay was unintentional and due to causes beyond the control of the applicant, he may treat such application as if it had been received on the due date :

Provided further that if it appears to the Executive Engineer that a supply of water will be available after all applications received before such date have been disposed of, he may receive applications up to any later date.

6. *Acknowledgment of applications.*—When an application for a supply of water is personally delivered, the counterfoil receipt for applications attached to the duplicate form shall be initialled and dated by the officer receiving such application and handed back to the person from whom such application is received. In other cases, the counterfoil shall be similarly initialled and dated and shall be despatched to the applicant as soon as may be practicable after the application is received.

7. *Application, by whom to be made : conditions for sanction.*—(1) An application for a supply of water for the irrigation of any land for any period may be sanctioned in favour of—

(*a*) the occupant or joint occupants of the land, or

(*b*) the superior holder or joint superior holders of alienated land, or

(*c*) any other person or persons having a right to cultivate the land under irrigation for the period for which supply of water is to be given, or

(*d*) any other person duly authorised by any of the persons mentioned in clauses (*a*), (*b*) and (*c*) to receive such supply.

(2) An application made by a person having neither such interest in the land as is mentioned in clauses (*a*), (*b*) and (*c*) of sub-rule (1) nor such authority as is mentioned in clause (*d*) of the said sub-rule may be summarily rejected by the Executive Engineer.

(3) An application made by a person other than the occupant or superior holder shall not be sanctioned unless such applicant furnishes suitable security for the payment of water-rates or other charges which may become payable in respect of any obligation arising out of the sanction of such application, by the execution either of a bond in Form VIII with two sureties to be approved by the officer sanctioning the application or of a mortgage bond in Form IX.

(4) When an application is made by the occupant or superior holder, the Executive Engineer may, if he considers that security is necessary, require, by an order in writing, such applicant to furnish similar security as is described in sub-rule (3).

(5) When an application is made by a person other than the occupant or superior holder, the Executive Engineer may refuse to sanction such application unless the consent of the occupant or superior holder has been obtained by the applicant. If the consent of any other person having an interest in the land as mortgagee or otherwise appears to the Executive Engineer to be necessary to ensure that all obligations arising out of the sanction of such application will be carried out, he may require such consent also to be obtained by the applicant.

8. *Applications may be rejected or complied with wholly or in part—Manner of sanction : Approval.*—(1) The Executive Engineer may reject the application for a supply of water or sanction the supply applied for wholly or in part or with modifications.

(2) Subject to such orders as the State Government may from time to time issue, the Executive Engineer may refuse to sanction a supply of water for irrigation to any land under any of the forms prescribed in sub-rule (3) of rule 4 if such irrigation would, in his opinion, lead to excessive or wasteful use of water, or cause, or contribute to cause, damage or injury to such land or any other land, or cause loss or injury to the cultivator of any other land, or be likely to produce conditions dangerous to public health.

(3) The Executive Engineer may refuse to sanction a supply of water for the cultivation of sugarcane to any land within a distance of $16\frac{1}{2}$ feet from the boundary of any road, cart-track, open drain or well, if such supply would, in his opinion, interfere with the use of, or cause damage to such road, cart-track, drain or well.

(4) The order passed under sub-rule (1), (2) or (3) shall be recorded on the application ; the duplicate form of the application shall be endorsed with a copy of the order and delivered or despatched, as the case may be, to the applicant. If any supply is sanctioned, the counterfoil attached to the original application shall be sent to the Talati or Patil of the village in which the land is situate.

(5) If the supply sanctioned is different from that applied for, the applicant may either withdraw his application, in which case the sanction given shalll be cancelled, or make a further application for a modification of the sanction. Such further application if sanctioned, shall not be deemed to be an application made after the prescribed date

(6) If an applicant is in arrears of water rates which became due before the date of the application, the application may be summarily rejected or sanction may be given provisionally subject to the condition that such arrears are paid before a specified date prior to the commenceent of supply.

(7) Sanction may be given provisionally subject to the conditions that all amounts which have become due on account of water rates before the commencement of supply shall be paid before such commencement of supply and that if such amounts are not paid the sanction shall be liable to cancellation.

(8) If the Executive Engineer has reason to doubt the authenticity of any signature or endorsement, or the truth or accuracy of any of the information furnished in an application, he may postpone the passing of orders until he has made such inquiries as he deems necessary in order to ascertain the facts. In such case he shall record in writing his reason for postponing the passing of orders.

9. *Areas for which permission may be granted.*—(*a*) Separate sanction shall not be given for the supply of water to any land the total area of which is less than 20 gunthas.

(*b*) Water for irrigation shall not be supplied to any detached piece of land the area of which is less than 20 gunthas.

(*c*) Water for irrigation shall not be supplied to any separate piece of land unless the area applied for is an exact multiple of 20 gunthas.

(*d*) In the case of areas irrigated—

(*i*) under the block system on any canal, and

(*ii*) for crops other than kharif on—

(A) the Nira Left Bank Canal and Shetphal Tank,

(B) the Nira Right Bank Canal,

(C) the Godavari Canals,

(D) the Pravara Canals,

(E) the Mutha Canals, and

(F) the Girna Canal,

water for irrigation shall not be supplied to any land unless it has been unitized into plots each of an area of 20 gunthas: Provided that when an application has been made for a supply of water in respect of the applicant's whole holding on a channel and after unitization a fragment of land is left over, which is too small to form a unit, water may be supplied to such fragment for crops other than sugarcane.

(*e*) Water shall not be supplied to any piece of land for irrigating more than two sugarcane crops during any period of five irrigation years.

10. *Allotment of available supply.*—If from any cause, any water supply is insufficient to meet all demands for water from such supply, questions regarding the allotment of the available supply and the quantity and egulation thereof shall, subject to the general o special orders of the State Government, be determined by the Executive Engineer.

PART III.

Demarcation and Preparation for Irrigation.

11. *Construction and maintenance of bunds and demarcation and preparation of land.*—(1) In each separate area of land for the irrigation of which sanction has been obtained,—

(*i*) the portion under irrigation shall, throughout the period of irrigation, be completely surrounded by bunds not less than 1 foot high and of 1 foot top width and shall be formed into suitable plots ; and

(*ii*) each plot shall be completely surrounded by bunds, in accordance with the following provisions, namely :—

(*a*) Round each separate and continuous area on which sugarcane is under cultivation bunds not less than $1\frac{1}{2}$ feet high by $1\frac{1}{2}$ feet top width shall be constructed : Provided that if, on account of the slope of the land and the total area included within the outer bund, the Executive Engineer directs that the bund at the lower end of the area and on each side for a distance up to 66 feet from the lower bund shall be of two feet top width such direction shall be complied with :

Provided further that for similar reasons the Executive Engineer may allow the bund at the upper end of a sloping field to be of smaller dimensions.

(*b*) Round each plot in an area on which sugarcane is under cultivation bunds not less than 9 inches high by 1 foot top width shall be constructed :

Provided that when the Executive Engineer is satisfied that on account of the configuration of the land and the manner in which it has been repaired and levelled, bunds of these dimensions are unnecessary, he may permit the construction of bunds of such smaller dimensions as he may consider adequate.

(*c*) Round each plot in which any other crop, except long term fruit trees (when each tree is separately irrigated) or kharif crop, is under cultivation bunds not less than 6 inches high by 9 inches top width shall be constructed.

(*d*) All bunds shall have slopes on both sides of 1′ to 1′.

(*e*) On any common boundary between two areas irrigated under separate sanctions, two separate bunds need not be maintained.

(*f*) When any special conditions are prescribed in any sanction given for the irrigation of any land, such land shall be demarcated and prepared in accordance with such prescribed conditions, and the provisions of this sub-rule shall not apply thereto.

(2) The Executive Engineer may withhold the first supply of water to any area in which the provisions of sub-rule (1) are not complied with.

(3) The application of water to land which is not prepared and maintained in accordance with sub-rule (1) shall constitute misuse of water within the meaning of clause (*d*) of sect on 28.

PART IV.

CULTIVATION AND USE OF WATER.

12. *Cultivation and use of water.*—The following provisions in respect of cultivation and use of water shall be observed :—

(1) A suitable system of water channels shall be so maintained that the water required for the irrigation of any plot can be supplied directly from a channel.

(2) The number and location of the inlets necessary for the supply of water to any such system shall be subject to the general or special orders of the Executive Engineer.

(3) No irrigation water shall be allowed to pass from one plot to another plot.

(4) The order in which water is supplied shall be subject to the general or special orders of the Executive Engineer.

(5) No crop shall be grown in the channels leading to the plots when such channels are less than 4 feet wide from the top inner edge of the bund and after earthing up there shall be no cane growing in or interfering with the flow of water in the channels.

(6) No crop shall be planted within 6 feet of the edge of a main water-course. If a question arises as to what is a main water-course, the Executive Engineer shall decide the matter and his decision shall be final and conclusive.

(7) No crop shall be grown on the top of any bund. A subsidiary crop may, however, be grown along the slopes of the bund provided the growth of such subsidiary crop does not interfere with inspection.

(8) (*a*) Any bund may, immediately after rain, be cut without permission. Such bund shall, however, be properly repaired before the next watering is taken.

(*b*) Except as provided in clause (*a*) a bund may be cut only in case of emergency ; and if the person on whose application the supply of water is sanctioned under these rules cuts the bund, he shall be liable for any wastage of water unless he shows to the satisfaction of the Executive Engineer that the accumulation of water, if any, was due to causes for which he was not responsible.

(9) The person on whose application the supply of water is sanctioned under these rules or his servant shall be present during the whole time that water is being taken and if a pass has been issued, such person shall have it in his possession.

PART V.

WATER RATES.

13. *Water rates when payable.*—The dates in each year for payment of water rates shall, subject to orders passed by the State Government under section 57, ordinarily be :—

For rabi crops	... April 15th.
For all other crops	... February 14th.

14. *Water rates how to be fixed.*—The rates, determined by the State Government under section 44, for canal water supplied for purposes of irrigation shall, in the absence of a special agreement or contract, ordinarily be levied in the form of—

(*a*) a rate per acre of land irrigated, fixed with reference to the crops grown, the season of the year during which, and the period for which, water is supplied and the method of application of water to the land, or

(*b*) a rate per unit of quantity of water supplied.

15. *Areas on which water rates are leviable.*—(1) Water rates shall be levied on an unit of 20 gunthas or on a multiple thereof :

Provided that when water is supplied to an area which is less than or is not a multiple of 20 gunthas, the rates for the supply of water to the area less than 20 gunthas or to the residue of any area over a multiple of 20 gunthas shall, up to 10 gunthas, be levied as for a supply to an unit of 10 gunthas and, exceeding 10 gunthas, as for a supply to an unit of 20 gunthas.

(2) Water rates shall be payable on the whole area in respect of which sanction to supply has been given whether water is actually taken or not provided always that water for such supply was available.

16. *Water rate leviable when mixed crops are grown.*—If mixed crops are grown in any part of a plot for any period, the water rate fixed for the highest rated crop so grown shall be charged for the whole plot for the whole period with respect to which such rate is leviable.

17. *Water rate leviable when crop sanctioned is not planted or fails and another crop is grown.*—When the sanctioned crop is not grown, or if grown fails, another crop may be sown in the same area ; and, provided water is available, water shall be given to such second crop to the date up to which water would have been given to the crop sanctioned. No additional charge shall be levied if intimation shall have been given to the Executive Engineer in writing within eight days of planting the fresh crop and if the second crop is assessable at the same or a lower rate than the sanctioned crop. If no such notice shall have been given, the irrigation of the second crop may be treated as unauthorised.

18. *Water rate leviable when land intended to be irrigated by canal water is irrigated partly by well water.*—If a portion of any land for the irrigation of which a supply of canal water has been sanctioned is irrigated by well water for a part of the season owing to a deficiency in the supply of canal water, and the applicant notifies the fact

in writing to the Executive Engineer within eight days from the date on which he began taking well water, enquiry shall be made by the Executive Engineer as to whether the use of well water was necessary and if it be shown to the satisfaction of the Executive Engineer that the use of well water was necessary the rate chargeable on the portion irrigated by well water may, at the discretion of the Executive Engineer, be reduced to an amount which shall not be less than half the rate otherwise payable.

19. *Water rate leviable when well water and canal water are conveyed in the same channel.*—If well water is conveyed to any land in any channel used for conveying canal water, water rate shall be chargeable on the whole of the land irrigated from such channel: Provided that if well water be taken for a part of the season owing to a deficiency in the supply of canal water and the applicant notifies the fact in writing to the Executive Engineer within eight days from the date on which he began taking well water, and if it be shown to the satisfaction of the Executive Engineer that such deficiency existed, the rate on the portion irrigated by well water may at the discretion of the Executive Engineer, be reduced to an amount which shall not be less than half the rate otherwise payable.

20. *Irrigation from escape channels, percolations and leakages.*—Irrigation from escape channels and from percolation and leakage falling under section 48 shall be subject to the same provisions as irrigation from other parts of a canal.

21. *Water rate leviable for supply of water for forming threshing floors.*—The Executive Engineer may give water for the purpose of forming threshing floors free to any person to whom a supply of water for irrigation has been sanctioned under these rules and to any other person at a charge per floor not exceeding half the lowest acre rate.

22. *Water rates for non-irrigational purposes.*—Water supplied from a canal for any purpose other than irrigation shall be charged for at such rate per unit of volume of water supplied as the State Government shall from time to time by order direct. Where the amount of water supplied cannot be measured the supply shall be charged for in such manner as the State Government may by order direct in each case.

Occasional Rates.

23. *Water rate leviable for supply of water obtained without permission or misused.*—If a supply of water is obtained by any person from a canal, whether for irrigation or for any other purpose, without the previous permission of the Executive Engineer or is used in any other unauthorised manner for irrigation or otherwise, the Executive Engineer may, on each occasion, charge a rate not exceeding treble the rate chargeable for the supply as if such supply had been sanctioned. Such rate shall be leviable in addition to any penalty which may be imposed under the Act.

24. *Water rate leviable on late applications.*—When an application for supply of water presented after the prescribed date is sanctioned, the water rate charged for the supply for the first irrigation period shall, when such supply is for the growth of sugarcane, be 25 per cent. more than the ordinary rate and, when such supply is for the growth of any other crop, be 50 per cent. more than the ordinary rate :

Provided that the Executive Engineer may, if he is satisfied that an application could not be submitted on or before the prescribed date and after recording his reasons in writing, order any lower rate not less than the ordinary rate to be charged in the case of any such applicant or any class of such applicants.

25. *Water rate leviable for water used for the irrigation of an area in excess of the sanctioned area.*—When sanction has been given to irrigate a specified area and the applicant irrigates an area in excess of such specified area, the Executive Engineer may charge in respect of such excess area a rate not exceeding treble the rate chargeable for the supply as if the supply had been sanctioned for such excess area and may stop the supply of water under clause (*d*) of section 28 :

Provided that if the Executive Engineer is satisfied that the excess area was irrigated through a *bona-fide* mistake, no charge shall be made in respect of the following excesses :—

Excess of 1 guntha when water-supply has been sanctioned for an area of $1\frac{1}{2}$ acres or less.

Excess of 2 gunthas when water-supply has been sanctioned for an area of $1\frac{1}{2}$ to $4\frac{1}{2}$ acres.

Excess of 3 gunthas when water-supply has been sanctioned for an area of $4\frac{1}{2}$ to 9 acres.

Excess of 4 gunthas when water-supply has been sanctioned for an area of 9 to 15 acres.

Excess of 5 gunthas when water-supply has been sanctioned for an area of more than 15 acres.

26. *Charges to be imposed when water supplied through a water-course is suffered to run to waste.*—When water supplied through a water-course is suffered to run to waste, the Executive Engineer may, under section 46, charge :—

(*a*) if the water has flowed on any land, a rate not exceeding double the single watering rate for each acre on which water has flowed, and

(*b*) in any other case a rate not exceeding double the rate chargeable under rule 22, on the volume of water estimated by the Executive Engineer to have been wasted.

Exemptions, Cancellations and Remissions.

Exemption of blocks from water rates and cancellation of blocks.

27. *Exemptions from water rates in respect of blocks.*—(1) In the case of lands under the block system if in any particular year an applicant is unable to irrigate the whole or any part of the block for which water has been sanctioned, he may be granted exemption from the water rates payable in respect of the whole or part of the block remaining unirrigated as the case may be, on his applying for such exemption in Form X before the dates specified below :—

(*i*) For the first year of the block period.	Within one month from the date of sanction.
(*ii*) For subsequent years of the block period—	
(*a*) In respect of sugarcane, fruit and garden blocks.	Before 15th November preceding the year beginning from February 15th for which exemption is required.

(*b*) In respect of two season blocks.	Before 15th September preceding the cold weather season for which exemption is required.

Provided that in the case of sugarcane blocks the proportion of sugarcane to other crops is not thereby increasd.

Cancellation of blocks.—(2) A block may be cancelled at the request of the person on whose application the supply is sanctioned—

(*a*) from the beginning of the first year of the block period if the applicant applies for cancellation within one month from the date of sanction ;

(*b*) during the remaining block period if the applicant gives notice of cancellation in writing before the 5th November preceding the year beginning from February 15th from which the block is not required in respect of sugarcane, fruit and garden blocks and before 15th September in respect of two season blocks :

Provided that the Executive Engineer may, at any time after giving twelve months, notice cancel any block or any part of a block if in his opinion further continuance of supply of water to it is objectionable.

Subsequent permission after exemption under sub-rule (1).——(3) When exemption from water rate is granted in accordance with sub-rule (1), subsequent permission to irrigate the whole or part of the block area so exempted shall, if water is available be given at $1\frac{1}{4}$ times the block rate in the case of sugarcane blocks, at $1\frac{1}{4}$ times the rate prescribed for the cold weather season in the case of two season blocks and at $1\frac{1}{4}$ times the rates prescribed for the cold weather and hot weather season, in respect of fruit and garden blocks :

Provided that in the case of sugarcane blocks if an applicant subsequently desires and applies in Form VI before the date fixed under sub-rule (1) of rule 5 to irrigate seasonal or two season crops in the exempted area, permission may be granted at the sanctioned rates.

No further supply to a cancelled block.—(4) When a sugarcane block is cancelled at the request of the person on whose application the supply was sanctioned a further supply of water for the irrigation of sugarcane within the area of the cancelled block shall not be sanctioned within a period of one year from the date of such cancellation.

Exemption from water rates in respect of lands not under block system.—(5) In respect of lands not under the block system no exemption from water rates shall be granted after an application for water in Form VII has been sanctioned for any crop other than perennial crops. Perennial crops may, however, be exempted from payment of water rates provided the applicant gives within one month from the date of sanction a written intimation to the Executive Engineer that water is not required.

28. *Remission of water rates.*—Remission of the whole or a part of the water rate payable by any person in respect of the supply of water for the purpose of irrigation to any land may be granted where such person has suffered loss—

(*a*) from any stoppage, diminution or increase of his water supply due to any of the causes named in clause (*d*) of the proviso to section 31 or to any act or omission of a canal officer not provided for in the said clause ; or

(*b*) from failure of his crops due to any local or general calamity :

Provided the outturn of the crops is not more than one quarter of normal.

29. *Claims for remission under rule 28.*—(*1*) Every claim for remission of water rate under rule 28 shall be preferred in writing direct to the Executive Engineer within one month from the time when the damage of failure, in respect of which the remission is claimed, is alleged to have occurred. Any claim preferred after the said period of one month may be summarily rejected.

(*2*) If, without giving the Executive Engineer at least 8 days' notice in writing of his intention so to do, the claimant cuts the crops alleged to have been damaged or to have failed at any time within 20 days after preferring his claim for remission, his claim may be summarily rejected.

30. *Readings maintained of water gauges and meters by the Irrigation Department to be accepted as authoritative.*—In cases of dispute regarding water supply or remission or exemption from water rate, the water gauges and meters maintained by the Irrigation Department shall, if certified by the Executive Engineer to have been in good order during the period to which the dispute relates, be held to furnish authoritative data for all calculations of discharge.

PART VI.

Emergency Rules.

31. *List of labourers : when to be prepared.*—Whenever it appears to a Canal Officer duly empowered to act under section 58, that circumstances may probably arise which will render it necessary for the provisions of that section to be put into operation, for the execution of any repair, clearance or other work which is being or is about to be carried on by the Irrigation Department, he shall communicate with the Collector. The Collector shall thereupon cause a list to be prepared of able-bodied persons liable to be required to assist under section 58. Such list may from time to time be revised and amended.

32. *Area for which list of labourers should be prepared.*—Every list of labourers prepared under rule 31 shall, subject to the next following rule, include the names of persons holding land or resident within such distance from the locality of the repair, clearance or work as the Collector, having regard to the number of persons likely to be required to assist at such repair, clearance or work, shall think proper.

33. *Classes of persons to be included in or exempted from list of labourers.*—Every list of labourers prepared under rule 31 shall contain the name of every able-bodied landholder holding land within the area fixed by the Collector under the last preceding rule and of every able-bodied man or woman who resides within such area and earns his or her livelihood by manual labour :

Provided that—

(*a*) the names of Indian soldiers, reservists and military pensioners and of persons who appear to the Collector to be under sixteen years or over fifty years of age shall not be included in such list, and

(*b*) any landholder who is unaccustomed to manual labour shall be permitted when called to assist at any repair, clearance or work, to furnish as a substitute any able-bodied person whose name is not on the list.

34. *Publication of list of labourers.*—The Collector shall cause the names of the persons holding land or resident in any village within the area fixed under rule 32 and included in a list of labourers to be posted in the chavdi or in some other public building in such village, and to be proclaimed in the village by beat of drum.

35. *Hearing of objections.*—Any person whose name is entered in a list of labourers may apply in writing to the Collector to have his name removed therefrom. The Collector, after such inquiry (if any) as he thinks necessary, shall record his decision in writing rejecting or granting the application.

PART VII.

APPEALS.

36. *Appeals.*—(1) An appeal in accordance with the provisions of sub-rule (2) shall lie against an order—

(*a*) passed under rule 8, or

(*b*) requiring an applicant who is an occupant or superior holder to give security under rule 7, or

(*c*) rejecting a surety tendered under rule 7 as unapproved.

(2) If the original order was passed by—

(*a*) a Sub-Divisional Officer, the appeal shall lie to the Executive Engineer, or

(*b*) the Executive Engineer, the appeal shall lie to the Superintending Engineer.

(3) Every order passed by an Executive Engineer under rule 18 or 19 shall be appealable to the Collector, provided that the appeal is presented within 30 days of the date on which the order appealed against was communicated to the appellant.

37. *Manner of preferring appeals.*—All appeals preferred under the Act or under these rules must be made by a written petition signed by the appellant. Such petition may be delivered at the office of the appellate authority by the appellant in person during office hours or forwarded through post.

PART VIII.

MISCELLANEOUS.

38. *Water rates chargeable under section 48.*—Without the special sanction of the State Government water rates under section 48 shall not be charged on land watered by a well or wells sunk at a distance of more than 100 feet from any canal situated in the Northern, Central and Southern Circles, or on land watered by a well or wells sunk before 3rd July 1936 at a distance of more than 100 feet from any canal situated in the Deccan Irrigation Circle.

Provided that such well or wells is or are fed by natural percolation only and not by a surface channel or a constructed underground channel or pipe.

39. *Closing of canal.*—No canal shall be closed for the execution of any repairs, alterations or additions thereto, except in case of emergency, without the previous sanction of the Superintending Engineer, or of the Executive Engineer duly

empowered in this behalf by the Superintending Engineer. The Superintending Engineer or the Executive Engineer duly empowered shall fix the period or periods, for which the supply of water may be stopped on account of the execution of such repairs, etc. Every intended closure of a canal shall as far as may be practicable, be notified at least 8 days in advance. In case of emergency the Canal Officer of the highest rank on the spot may close a canal and fix the said period or periods and shall report the matter to the Superintending Engineer.

40. *Passing of persons, animals or vehicles in or across canals.*—(1) No person shall pass, or cause any animal or vehicle to pass, in or across the bank or channel of any canal at any place except where indicated by a notice erected under the order of the Executive Engineer in a conspicuous place.

(2) In fixing places at which the passing in or across the bank or channel of a canal is permitted under sub-rule (1), the Executive Engineer shall have careful regard to the reasonable convenience of the people residing or holding land in the vicinity who are required to cross the canal or water their animals.

41. *Maintenance of water courses.*—For the purpose of sub-section (*b*) of section 21 " maintenance " of a water-course shall include the construction of—

(*a*) such masonry or other work as in the opinion of the Executive Engineer is necessary to prevent waste of water or damage to the channel, or

(*b*) a pipe outlet in masonry or any other type of outlet arrangement app roved by the Superintending Engineer for connecting the water-course to the field channel.

42. *Maintenance of Record of Rights and Register of Mutations.*—Copies of the Record of Rights and Register of Mutations shall be maintained at each Sectional Office or other convenient centre.

FORM I.

(Original.)

Form of Application for water for irrigation in Two-Season Blocks.

No. of application.

To—The Executive Engineer, Division.

I, , resident of , Taluka , District , make this application for the supply of water from the canal in the monsoon and cold weather seasons of years in succession from 15th June 19 to 14th February 19 subject to the provisions of the Bombay Irrigation Act, 1879, and any other Law for the time being in force relating to irrigation and subject to the provisions of the Bombay Canal Rules, 1934, and to all the conditions specified on the reverse of this application to which I agree, for the purpose of irrigating the land hereinafter described, namely :—

Name of village. गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर.	Total area of Survey No. or Pot No. सर्व्हे-नंबराचें अगर पोट-नंबराचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरांतील अगर पोट-नंबरांतील मालकीचे एकूण क्षेत्र.	Area applied for. मागणीचें क्षेत्र.
	Channel No. पाटाचा नंबर.	Outlet No. दरवाज्याचा नंबर.					
1.	2	3	4	5	6	7	8.
					A. g.	A. g.	A. g.

2. I am the of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Date 19 .
Signature of the witness.

Signature or left hand thumb-impression of the applicant.

Signature or left hand thumb impression of the occupant or joint occupants or superior holder or joint superior holders in cases in which the applicant is not the owner.

Forwarded for sanction as follows :—

(1) Total block area to be sanctioned—Acres Gunthas (2) Period of sanction—

From To (3) Water rates to be charged per acre—Rs.

Date 19 . Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 . Executive Engineer, Division.

(*Note.*—Details of Security bond to be invariably furnished by non—owner applicants whose applications are not made or countersigned by owners.)

Names of sureties (1) (2) } As per Form No. VIII.

S. No. of given as security as per Form IX.

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दोनहंगामी ब्लॉक मंजूर केल्याबद्दल समज.

गांवच्या तलाठ्याकडे रवाना होण्याकरितां.

काल्वा

अर्ज-नंबर

गांवाचें नांव

सर्व्हे-नंबर

पोट-नंबर

अर्जदाराचें नांव

मंजूर केलेले क्षेत्र एकर. गुंठे.

मंजूरीची मुदत

१९-६-१९ पासून

१४-६-१९ पर्यंत.

शेरा

कॅनाल ऑफिसरची सही.

तारिख माहे सन १९

Instructions.

1. This form is to be used for application for the supply of water on the block system for the irrigation of crops (including perennial crops other than sugarcane, long-term fruit trees and pan) during the monsoon and cold weather seasons only.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such application. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided at No. 3 on the form the name and address of the person to whom the order on this application is to be given and whether the order should be sent by post or delivered from any canal office, or kept at any office to be called for postal intimation being sent when it is ready for delivery.

5. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

6. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. He may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will ordinarily sanction areas which are multiples of half an acre. A block may consist of several half acre plots. The different plots forming a block need not be contiguous but must be on the same outlet.

Conditions.

1. Water will be reserved in the cold weather season for the sanctioned area for rabi crops. The person on whose application the supply is sanctioned may, however, substitute for each 1½ acres of rabi crops 1 acre of two season crops.

2. Irrigation in the monsoon season is optional; but kharif crops up to the sanctioned area may be grown and for each 1½ acres of kharif crops 1 acre of two season crops may be substituted.

3. At the risk of the applicant and provided well water is available, an equal area of ordinary perennial crops (excluding sugar-cane, pan and fruit trees) may be irrigated instead of two season crops.

4. The area sanctioned shall not be exceeded, but if the irrigator wishes to irrigate in any year an area in excess of the sanctioned area he may submit an application in Form VII for the same; such applications will be given preference over those received from other applicants who are not block-holders.

5. (1) If the person on whose application the supply is sanctioned desires to shift the whole or a part of his block from the sanctioned plots to other plots, this may be allowed provided his land is unitised and he applies for the change before such date as shall be notified by the Executive Engineer.

(2) Water rates shall be charged for the cold weather season for the whole period of the sanction so long as water is available, whether a plot is irrigated in the cold weather season or not; but if in any particular year an applicant is unable to irrigate the whole or part of the block for which water has been sanctioned he may be granted exemption from the water rates payable in respect of such whole or part of the block, as the case may be, provided that he applies in Form X for such exemption before the 15th September preceding the cold weather season for which exemption is required. When such exemption granted, subsequent permission to irrigate the area exempted will only be given at 1½ rates prescribed for the cold weather season and if water is available.

(3) The block may be cancelled at the request of the block holder :—

(*a*) from the beginning of the first year, if he applies for cancellation within one month from the date of sanction; or

(*b*) during the remaining period of sanction if he gives notice of cancellation in writing before the 15th September preceding the cold weather season from which the block is not required;

Provided that the Executive Engineer may, at any time after giving 12 months' notice, cancel any block or any part of a block if in his opinion further continuance of supply of water to it is objectionable.

6. The block sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without any previous notice for definite breach of any rule of the Bombay Canal Rules, 1934, or any of the conditions of this form of application.

(Additional condition 7 for Ashti, Pathri, Koregaon and Ekruk Tanks.)

7. Where no permanent water channel exists, the irrigator shall allow the construction of a temporary channel through his land, if necessary, along a line fixed by the Executive Engineer or his representative, for the benefit of irrigators whose fields are situate below his land.

Note.—Condition 1 above does not apply to Ekruk Tank.

(Additional conditions for Ekruk Tank.)

8. Water will be reserved in the cold weather season for the sanctioned area for rabi crops subject to the condition that if water is taken for kharif or two season crops no water shall be guaranteed for rabi crops. The block holder may substitute for each 1½ acres of kharif or rabi crops 1 acre of two season crops.

9. Water is liable to be withheld at any time but full water rates shall be payable for the sanctioned area entered at No. (1) on the form for the cold weather season whether the area is irrigated or not, provided water was avilable during the period.

.....

दोनहंगामी ब्लॉकचा अर्ज दिल्याची पावती.

काल्वा

गांवाचें नांव.

सर्व्हे-नंबर

पोट-नंबर

अर्जदाराचें नांव

मागणीप्रमाणें क्षेत्र एकर. गुंठे.

अर्जाची तारीख

अर्ज पोंहचल्याची तारीख व शेरा.

अर्ज घेणाऱ्या अमलदाराची सही.

FORM II.

(Original.)

Form of application for water for Irrigation in One-Third Sugarcane Blocks.

No. of application.

To—The Executive Engineer, Division.

I, , resident of , Taluka , District , make this application for the supply of water from the canal for years in succession from 15th February 19 to 14th February 19 subject to the provisions of the Bombay Irrigation Act, 1879, and of any other Law for the time being in force relating to Irrigation and subject to the provisions of the Bombay Canal Rules, 1934, and the conditions specified on the reverse of this application to which I agree, for the purpose of irrigating the land hereinafter described, namely :—

Name of village गांवाचें नांव.	Distributing पाणी वाटणाऱ्य		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर.	Total area of Survey No. or Pot No. सर्व्हे-नंबराचें अगर पोट-नंबराचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरांतील अगर पोट-नंबरांतील मालकीचें एकूण क्षेत्र.	Total Area applied for. मागणीचें क्षेत्र.
	Channel No. पाटाचा नंबर.	Outlet No. दरवाज्याचा नंबर.					
1	2	3	4	5	6	7	8
					A. g.	A. g.	A. g.

2. I am the of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Date 19 Signature or left hand thumb impression of the applicant.

Signature of the witness.

Signature or left hand thumb-impression of the occupant or joint occupants or superior holder or joint superior holders, in cases in which the applicant is not the owner.

Forwarded for sanction as follows :—

(1) Block No. (2) Block Plots Nos.

(3) Area to be allotted—Acres Gunthas (4) Period—From To

(5) Water rate per acre to be charged—Rs.

Date 19 . Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 . Executive Engineer, Division.

(*Note.*—Details of Security bond to be furnished by non-owner applicants as per Instruction 7.)

Names of sureties (1) } in Form VIII.
(2) }

S. No. of given as security as per Form IX.

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एकतृतीयांश उसांच्या ब्लॉकच्या मंजुरीची समज.

गांवाच्या तलाठ्याकडे रवाना देण्याकरितां.

कालवा
गांवाचें नांव
अर्जाचा नंबर
सर्व्हे-नंबर
पोट-नंबर
अर्जदाराचें नांव
ब्लॉकांत मंजूर केलेले क्षेत्र. एकर. गुंठे.
मंजुरीची मुदत.
१५-२-१९ पासून
१४-२-१९ पर्यंत.
अर्जमंजुरीची तारीख
शेरा

कॅनाल ऑफिसर.

तारीख

INSTRUCTIONS.

1. This form is to be used for applications for the supply of water on the block system for the irrigation of sugarcane in those cases where the area of sugarcane permitted to be grown in the block is limited to one-third of the block area.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided at No. 3 on the form the name and address of the person to whom the order of the Executive Engineer is to be given and whether the order should be sent by post or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

6. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. He may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will sanction blocks subject to a minimum of and in multiples of 1½ acres. The different half acre plots forming a block may not be contiguous but must be on the same outlet.

CONDITIONS.

1. The area of sugarcane shall not exceed one-third of the total area of the block except as provided below :—

When new sugarcane is to be planted at some time before a standing crop in the same block is cut, permission will be given for such planting, although the total area of the standing crop and the newly planted crop exceeds one-third of the block area, on the following conditions and in the following circumstances :—

(1) that water is available after providing all supplies already sanctioned ;

(2) that the giving of the additional supply required can be arranged for consistently with necessary arrangements for maintenance, repair and working of the canal ;

(3) that if the standing sugarcane crop has been planted between a date which may be notified from time to time and 31st August next following permission shall not be given for the planting of such new sugarcane crop before the break of the monsoon in the following year ;

(4) that if the standing cane crop has been planted between 1st September and a subsequent date which may be notified from time to time permission shall not be given for the planting of such new sugarcane before the standing cane crop is 9 months old ;

(5) that the area of new sugarcane shall not exceed the area of standing sugarcane which satisfies conditions (3) and (4);

(6) that application is made on form VI for the supply of water required in addition to that provided by the original sanction. The charge will be the sugarcan rate for the excess of sugarcane area over one-third and for the period of overlap applied for.

2. No second ratoon of sugarcane shall be allowed. Water shall not be supplied to any piece of land for irrigating more than two sugar-cane crops during any period of five irrigation years.

3. To the remaining two-third area of the block, water shall be given for irrigation for about eight months, from 15th June (if water be available) or from the break of the monsoon till the 14th February following. This area shall not be irrigated either from the canals or wells between the 15th February and the 14th June of the following year except as provided below :—

If water is available, sanction shall be given on Form VI to preseasonal waterings subject to the following conditions :—

(1) No water shall be supplied before 25th April.

(2) Not more than two-third of the whole block area shall be under irrigation at one time whether with canal or well water.

Provided that if water is available, sanction shall be given with effect from 25th May to early watering in the remaining one-third of the area of green manure crops only.

4. If sugarcane is not grown on the full one-third area of the total block area, twice the area in units not so utilised may be planted with other crops (excluding long-term fruit trees and pan gardens). If sugarcane or other crops grown in lieu thereof fail, a similar or lower rated crop or a succession of such crops may be planted in the same or any other equal area of the block in lieu thereof.

5. The block rate shall be payable for the whole area for which the sanction for the supply of water is in force without reference to the nature or extent of irrigated cultivation within the block. If in any particular year the applicant is unable to irrigate the whole or part of the block for which water has been sanctioned, he may be granted exemption from the water rates payable in respect of such whole or part of the block, as the case may be, provided that he applies on Form X for such exemption from water rates before the dates specified below and that the proportion of sugarcane to other crops is not thereby increased in the area that remains over after the said exemption—

(*i*) For the first year of the block period ... Within one month from the date of sanction.

(*ii*) For subsequent years of the block period ... Before 15th November preceding the year beginning from February 15th for which exemption is required.

6. The block may be cancelled at the request of the block-holder :—

(*a*) from the beginning of the first year if he applies for cancellation within one month from the date of sanction ; or

(*b*) during the remaining period of sanction if he gives notice of cancellation in writing before the 15th November preceding the year beginning from February 15th from which the block is not required. Provided that the Executive Engineer may at any time after giving twelve months' notice cancel any block or any part of a block if in his opinion further continuance of supply to it is for any reason objectionable.

7. When exemption from water rate is granted in accordance with condition 5 above subsequent permission to irrigate the whole or part of the block area so exempted shall, if water be available, be given only at $1\frac{1}{4}$ times the block rate, subject to the proviso that if it is desired subsequently to irrigate seasonal or two season crops only in the exempted portion permission may be granted at the sanctioned rates provided that an application in Form VII is received before the date fixed in accordance with rule 5 (I) of the Bombay Canal Rules, 1934.

8. When a sugarcane block is cancelled at the request of the irrigator under Condition 6 a further supply of water for the irrigation of sugarcane within the area of the cancelled block shall not be sanctioned within a period of one year from the date of such cancellation.

9. The block sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without any previous notice for breach of any of the above conditions or any rule of the Bombay Canal Rules, 1934.

एकतृतीयांश उसाच्या ब्लॉकचा
अर्ज दिल्याबद्दल अर्जदारास
देण्याची पावती.

काल्वा

गावाचे नांव

अर्जदाराचे नांव

सर्व्हे-नंबर

पोट-नंबर

अर्जाची तारीख

अर्ज पोहचल्याची तारीख व शेरा

अर्ज देणाऱ्या अंमलदाराची सही.

FORM III.

(Original.)

Form of application for water for Irrigation in One-Fourth Sugarcane Blocks.

No. of application.

To—The Executive Engineer, Division.

I, , resident of , Taluka , District , make this application for the supply of water from the canal for years in succession from 15th February 19 to 14th February 19 subject to the provisions of the Bombay Irrigation Act, 1879, and of any other Law for the time being in force relating to Irrigation and subject to the provisions of the Bombay Canal Rules, 1934, and the conditions specified on the reverse of this application to which I agree, for the purpose of irrigating the and hereinafter described, namely :—

Name of village. गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सर्व्हे-नंवर.	Pot No. पोट-नंवर.	Total area of Survey No. or Pot No. सर्व्हे-नंवराचें अगर पोट-नंवराचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंवरां-तील अगर पोट-नंवरांतील मालकीचें एकूण क्षेत्र.	Total area applied for. मागणीचें क्षेत्र.
	Channel No. पाटाचा नंवर.	Outlet No. दरवाज्याचा नंवर.					
1	2	3	4	5	6	7	8
					A. g.	A. g.	A. g.

2. I am the of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Date 19 . Signature or left hand thumb impression of the applicant.

Signature of the witness.

Signature or left hand thumb-impression of the occupant or joint occupants or superior holder or joint superior holders, in cases in which the applicant is not the owner.

Forwarded for sanction as follows :—

(1) Block No. (2) Block Plots Nos.

(3) Area to be allotted—Acres Gunthas (4) Period—From To

(5) Water rate per acre to be charged—Rs.

Date 19 . Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 . Executive Engineer, Division.

(*Note.*—Details of Security bond to be furnished by non-owner applicants as per Instruction 7.)

Names of sureties (1) (2) } in Form VIII.

S. No. of given as security as per Form IX.

एक चतुर्थांश उसाच्या ब्लॉकच्या मंजुरीचा समज.

गांवाच्या तलाठ्याकडे खाना होण्याकरितां.

कालवा
गांवाचें नांव
अर्जाचा नंबर
सर्व्हे-नंबर
पोट-नंबर
अर्जदाराचें नांव
ब्लॉकांत मंजूर केलेले क्षेत्र प.

मंजुरीची मुदत १५-२-१९ पासून १४-२-१९ पर्यंत
अर्जमंजुरीची तारीख
सेरा

कॅनाल ऑफिसर.

तारीख

INSTRUCTIONS.

1. This form is to be used for applications for the supply of water on the block system for the irrigation of sugarcane in those cases where the area of sugarcane permitted to be grown in the block is limited to one-fourth of the block area.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided at No. 3 on the form the name and address of the person to whom this order is to be given and whether it should be sent by post or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

6. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. He may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will sanction blocks subject to a minimum of and in multiples of 1½ acres. The different half acre plots forming a block may not be contiguous but must be on the same outlet.

CONDITIONS.

1. The area of sugarcane shall not exceed one-fourth of the total area of the block, except as provided below :—

When new sugarcane is to be planted at some time before a standing crop in the same block is cut, permission will be given for such planting, although the total area of the standing crop and the newly planted crop exceeds one-fourth of the block area, on the following conditions, and in the following circumstances :—

(1) that water is available after providing all supplies already sanctioned ;

(2) that the giving of the additional supply required can be arranged for consistently with necessary arrangements for maintenance, repair and working of the canal ;

(3) that if the standing sugarcane crop has been planted between a date which may be notified from time to time and 31st August next following permission shall not be given for the planting of such new sugarcane crop before the break of the monsoon in the following year ;

(4) that if the standing cane crop has been planted between 1st September and a subsequent date which may be notified from time to time permission shall not be given for the planting of such new sugarcane before the standing cane crop is 9 months old ;

(5) that the area of new sugarcane shall not exceed the area of standing sugarcane which satisfies conditions (3) and (4);

(6) that application is made on Form VI for the supply of water required in addition to that provided by the original sanction. The charge will be the sugarcane rate for the excess of sugarcane area over one-forth and for the period of overlap applied for.

2. No second ratoon of sugarcane shall be allowed. Water shall not be supplied to any piece of land for irrigating more than two sugarcane crops during any period of five irrigation years.

3. To the remaining three-fourth area of the block, water shall be given for irrigation for about eight months, from 15th June (if water be available) or from the break of the monsoon till the 14th February following. This area shall not be irrigated either from the canals or wells between the 15th February and the 14th June of the following year except as provided below :—

If water is available, sanction shall be given on Form VI to preseasonal waterings subject to the following conditions :—

(1) No water shall be supplied before 25th April.

(2) Not more than three-fourth of the whole block area shall be under irrigation at one time whether with canal or well water.

Provided that if water is available, sanction shall be given with effect from 25th May to early watering in the remaining one-fourth of the area of green manure crops only.

4. If sugarcane is not grown on the full one-fourth area of the block twice the area in units not so utilised may be planted with other crops (excluding long-term fruit trees and pan gardens). If sugarcane or other crops grown in lieu thereof fail, a similar or lower rated crop or a succession of such crops may be planted in the same or any other equal area of the block in lieu thereof.

5. The block rate shall be payable for the whole area for which the sanction for the supply of water is in force without reference to the nature or extent of irrigated cultivation within the block. If in any particular year, the applicant is unable to irrigate the whole or a part of the block for which water has been sanctioned he may be granted exemption from the water rates payable in respect of such whole or a part of the block, as the case may be, provided that he applies on Form X for such exemption from water rates before the dates specified below and that the proportion of sugarcane to other crops is not thereby increased in the area that remains over after the said exemption :—

(*i*) For the first year of the block period	...	Within one month from the date of sanction.
(*ii*) For subsequent years of the block period	...	Before 15th November preceding the year beginning from February 15th for which exemption is required.

6. The block may be cancelled at the request of the block-holder —

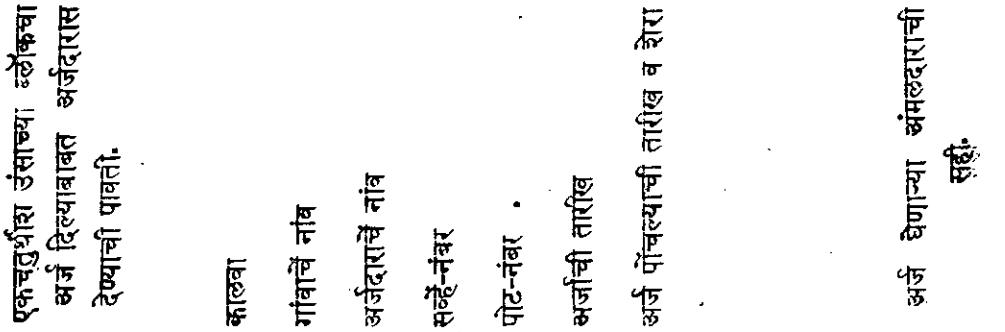
(*a*) from the beginning of the first year if he applies for cancellation within one month from the date of sanction ;

(*b*) during the remaining period of sanction if he gives notice of cancellation in writing before the 15th November preceding the year beginning from February 15th from which the block is not required. Provided that the Executive Engineer may at any time after giving twelve months' notice cancel any block or any part of a block if in his opinion further continuance of supply to it is objectionable.

7. When exemption from water rate is granted in accordance with Condition 5 subsequent permission to irrigate the whole or part of the block area so exempted shall, if water be available, be given only at 1½ times the block rate, subject to the proviso that if it is desired subsequently to irrigate seasonal or two season crops only in the exempted portion permission may be granted at the sanctioned rates provided that an application in Form VII is received before the date fixed in accordance with rule 5 (1) of the Bombay Canal Rules, 1934.

8. When a sugarcane block is cancelled at the request of the irrigator under Condition 6 a further supply of water for the irrigation of sugarcane within the area of the cancelled block shall not be sanctioned within a period of one year from the date of cancellation.

9. The block sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without any previous notice for breach of any of the above conditions or any rule of the Bombay Canal Rules, 1934.



FORM IV

(Original.)

Form of application for water for Irrigation in Fruit Blocks.

No. of application.

To—The Executive Engineer, Division.

I, , resident of , Taluka District , make this application for the supply of water from the canal for years in succession from 15th February 19 to 14th February 19 subject to the provisions of the Bombay Irrigation Act, 1879, and of any other Law for the time being in force relating to Irrigation, and of the Bombay Canal Rules, 1934, to which I agree, for the purpose of irrigating the land hereinafter described namely :—

Name of village. गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर.	Total area of Survey No. or Pot No. सर्व्हे-नंबरचें अगर पोट-नंबरचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरां-तील अगर पोट-नंबरां-तील मालकीचें एकूण क्षेत्र.	Area applied for in the block. ब्लॉकांत मागणीचें क्षेत्र.
	Channel No. पाटाचा नंबर.	Outlet No. दरवाज्याचा नंबर.					
1	2	3	4	5	6	7	8
					A. g.	A. g.	A. g.

2. I am the of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Date 19 .

Signature or left hand thumb-impression of the applicant.

Signature of the witness

Signature or left hand thumb-impression of the occupant or joint occupants or superior holder or joint superior holders in cases in which the applicant is not the owner.

Forwarded for sanction as follows :—

(1) Fruit Block No. (2) Block Plots Nos.

(3) Area to be sanctioned—A. G. (4) Period of sanction—From To

(5) Water rates to be charged per acre—Rs.

Date 19 . Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 . Executive Engineer, Division.

(*Note.*—Details of Security bond to be invariably furnished by non-owner applicants as per Instruction 7.)

Names of sureties (1) (2) } As per Form No. VIII.

S. No. of given as security as per Form IX.

.....

फळझाडाचा ब्लॉक मंजूर केल्याची समज.

गांवच्या तलाठ्याकडे पाठविण्याकरितां.

कालवा
अर्जाचा नंबर
गांवाचें नांव
सर्व्हे-नंबर
पोट-नंबर
अर्जदाराचें नांव
ब्लॉकांत मंजूर केलेलें क्षेत्र
प्र. गुं.
मंजुरीची मुदत
१६-२-१९ पासून
१४-२-१९ पर्यंत
मंजुरीची तारीख व सेरा.

कॅनाल ऑफिसर.

तारीख

INSTRUCTIONS.

1. This form is to be used for the irrigation of trees with a normal life of 15 years or more, i.e., excluding plantains, papayas and similar short lived species, in areas in which water can ordinarily be supplied at regular intervals throughout the year.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided at No. 3 on the form the name and address of the person to whom the order of the Executive Engineer is to be given and whether the order should be sent by post or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

6. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrgated cultivation in the land.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. And he may also berequired to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will ordinarily sanction areas which are multiples of half an acre.

10. Water passes in respect of this form shall not be granted for a period extending beyond twelve years after the 14th February of the year in whcih the next revision of water rates falls due.

CONDITIONS.

1. The water rates shall be payable provided water is available for the whole area for which the sanction for the supply of water is in force without reference to the nature or extent of irrigated cultivation within the block. The applicant may, however, terminate the block agreement by giving six months' notice in writing.

2. New trees may without special permission be planted to replace those that have died on the distinct understanding that this shall in no way entitle the applicant to an extension of the period of sanction.

3. If the kind of fruit trees applied for and sanctioned do not thrive and another kind is to be grown, the applicant may, after giving three months' notice in writing to the Executive Engineer, grow in lieu thereof any other kind of fruit trees unless the Executive Engineer has within that time cancelled the pass. Also if for any reason the pass for fruit trees cannot be utilised for fruit trees for any period the applicant may, after giving a week's notice in writing to the Executive Enginneer, grow in lieu thereof any other short lived perennials or seasonal crops.

4. If in any particular year the person on whose application the supply is sanctioned is unable to irrigate the whole or a part of the block for which water has been sanctioned he may be granted exemption from the water rates payable in respect of such whole or part of the block, as the case may be, provided that he applies on Form X for such exemption from water rates before the dates specified below :—

(*i*) For the first year of the block period	..	Within one month from the date of sanction.
(*ii*) For subsequent years of the block period	..	Before 15th November preceding the year beginning from February 15th for which exemption is required.

5. When exemption from water rate has been sanctioned in accordance with Condition 4, subsequent permission to irrigate the area so exempted in the cold and hot weather seasons shall, if water be available,be given only at 1¼ times the rate prescribed for the respective seasons.

6. A block may be cancelled at the request of the blockholder—

(*a*) from the beginning of the first year if he applies for cancellation within one month from the date of sanction ;

(*b*) during the remaining period of sanction if he gives notice of cancellation in writing before the 15th November preceding the year beginning from February 15th from which the block is not required.

Provided that the Executive Engineer may at any time after giving twelve months' notice cancel any block or any part of a block if in his opinion further continuance of supply to it is objectionable.

7. The block sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without any previous notice for breach of any of the above conditions or any rule of the Bombay Canal Rules, 1934.

.....

फळझाडाचा नमुना नंबर ४ मधील

अर्ज पोचल्याची पावती.

काळवा

गांवाचें नांव

अर्ज-नंबर

सर्व्हे-नंबर

पोट-नंबर

अर्जदाराचें नांव

मागणीचें क्षेत्र — प्र. घ.

मागणीप्रमाणें मुदत

१५-२-१९ पासून

१४-२-१९ पर्यंत

अर्ज पोचल्याची तारीख व शेरा

अर्ज घेणाऱ्या अमलदाराची सही.

FORM V.

(Original.)

Form of application for water for Irrigaton in Garden Blocks.

No. of application.

To—The Executive Engineer, Division.

I , resident of , Taluka District , make this application for the supply of water from the canal for years in succession from 15th February 19 to 14th February 19 subject to the provisions of the Bombay Irrigation Act, 1879, and of any other Law for the time being in force relating to Irrigation, and of the Bombay Canal Rules, 1934, to which I agree, for the purpose of irrigating the land hereafter described, namely :—

Name of village. गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर.	Total area of Survey No. or Pot No. सर्व्हे नंबरचें अगर पोट-नंबरचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरां-तील अगर पोट-नंबरांतील मालकीचें एकूण क्षेत्र.	Area applied for in the block: ब्लॉकांत मागणीचें क्षेत्र.
	Channel No. पाटाचा नंबर.	Outlet No. दरवाज्याचा नंबर.					
1	2	3	4	5	6	7	8
					A. g.	A. g.	A. g.

2. I am the of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Date 19 .

Signature or left hand thumb impression of the applicant.

Signature of the witness.

Signature or left hand thumb-impression of the occupant or joint occupants or superior holder or joint superior holders in cases in which the applicant is not the owner.

Forwarded for sanction as follows :—

(1) Garden Block No. (2) Block Plots Nos.

(3) Area to be sanctioned—A. G. (4) Period of sanction—From To

(5) Water rates to be charged per acre—Rs.

Date 19 . Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 Executive Engineer, Division.

(*Note.*—Details of Security bond to be invariably furnished by non-owner applicants as per Instruction 7.)

Names of sureties (1) (2) } As per Form No. VIII.

S. No. of given as security as per Form IX.

इतर बारमाही पिकांचा नमुना नंबर ५

मधील श्लोकांचा अर्ज मंजूर केल्याची समज.

गांवच्या तलाठ्याकडे पाठविण्याकरितां.

कालवा	
अर्जाचा नंबर	
गांवाचें नांव	
सर्व्हे-नंबर	
पोट-नंबर	
अर्जदाराचें नांव	
श्लोकांत मंजूर केलेले क्षेत्र	ए. गुं.
मंजुरीची मुदत	पासून
१५-२-१९	पर्यंत
१४-२-१९	
मंजुरीची तारीख व शेरा	

कॅनाल ऑफिसर.

तारीख

Instructions.

1. This form is to be used for the irrigation of perennial crops other than sugarcane, pan or long term fruit trees in areas in which water can ordinarily be supplied at regular intervals throughout the year.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided at No. 3 on the form the name and address of the person to whom the order of the Executive Engineer is to be given and whether the order should be sent by post or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

6. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. He may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will ordinarily sanction areas which are multiples of half an acre.

10. Water passes in respect of this form shall not be granted for a period extending beyond the period of the sugarcane block sanctioned on the canal concerned at the time of sanctioning this form. If the sanctioned period of the sugarcane blocks at the time exceeds three years, this form shall not be sanctioned for a period less than three years.

Conditions.

1. The water rates shal be payable provided water is available for the whole area for which the sanction for the supply of water is in force without reference to the nature or extent of irrigated cultivation within the block.

2. If for any reasor the person on whose application the supply is sanctioned is unable to cultivate perennial crops in the sanctioned block or a part thereof for any period he may grow in lieu thereof any seasonal crops or a succession of such crops.

3. If in any particular year the person on whose application the supply is sanctioned is unable to irrigate the whole or part of the block for which water has been sanctioned, he may be granted exemption from the water rates payable in respect of such whole or part of the block, as the case may be, provided that he applies on Form X for such exemption from water rates before the dates specified below :—

(*i*) For the first year of the block period	...	... Within one month from the date of sanction.
(*ii*) For subsequent years of the block period		... Before 15th November preceding the year beginning from February 15th for which exemption is required.

4. When exemption from water rates has been sanctioned in accordance with condition 3 above, subsequent permission to irrigate the area so exempted in the cold and hot weather seasons shall, if water be available, be given only at 1½ times the rate prescribed for the respective seasons.

5. A block may be cancelled at the request of the block-holder—

(*a*) from the beginning of the first year if he applies for cancellation within one month from the date of sanction ;

(*b*) during the remaining period of sanction if he gives notice of cancellation in writing before the 15th November preceding the year beginning from February 15th from which the block is not required.

Provided that the Executive Engineer may at any time after giving twelve months' notice cancel any block or any part of a block if in his opinion further continuance of supply to it is objectionable.

6. The block sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without any previous notice for breach of any of the above conditions or any rule of the Bombay Canal Rules, 1934.

इतर बाबींसाठी पिकाचा नमुना नंबर ९ मधील

ब्लाकाचा अर्ज पोचल्याची पावती.

काल्वा

गांवाचें नांव

अर्ज-नंबर

सर्व्हे-नंबर

पोट-नंबर

अर्जदाराचें नांव

मागणीचें क्षेत्र ए. गुं.

मागणीप्रमाणें मुदत

१५-२-१९ पासून

१४-२-१९ पर्यंत

अर्ज पोचल्याची तारीख व शेरा

अर्ज घेणाऱ्या अमलदाराची सही.

FORM VI.

(Original).

Form of application for water for additional waterings.

No. of application.

To—The Executive Engineer, Division.

I , resident of , Taluka , District , make this application for the supply of water from the canal for the purpose of irrigating the undermentioned land hereinafter described subject to the provisions of the Bombay Irrigation Act, 1879, and any other Law for the time being in force relating to Irrigation and all the provisions of the Bombay Canal Rules, 1934 and subject to the conditions specified on the reverse of this application to which I agree.

Name of village. गांवाचें नांव.	Distributing. पाणी वाटणाऱ्या.		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर	Total area of Survey No. or Pot No. सर्व्हे-नंबरचें अगर पोट-नंबरचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरां-तील अगर पोट-नंबरां-तील माल-कीचें एकूण क्षेत्र.	Total area applied for. मागणीचें क्षेत्र.	Name of crop. पिकाचें नांव.	Period for which water is required. ज्या मुदतींत पाणी पाहिजे ती मुदत.
	Channel No. पाटाचा नंबर	Outlet No. दरवाजाचा नंबर.							
1	2	3	4	5	6	7	8	9	10
					A. g.	A. g.	A. g.		

2. I am the of the land for which water has been applied for above.

3. I hold a *seasonal pass* / *block pass* for the season of 19 .
I have submitted herewith a block application for the years for the year ending 14th February 19 .

4. The name and address of the person to whom and the manner in which the order on this application should be delivered are :—

Date 19 .

Signature or left hand thumb impression of the applicant.

Signature of the witness

Signature or left hand thumb impression of the occupant or joint occupants or superior holder or joint superior holders in cases in which the applicant is not the occupant or superior holder.

Mo-v Bk H 160—12

Forwarded for sanction as follows :—

(1) Area to be sanctioned—A. g. (2) Period of sanction—From To
(3) Water rate to be charged per acre—Rs.

Date 19 Sub-Divisional Officer, Sub-Division

Sanctioned.

Date 19 Executive Engineer, Division.

(*Note.*—Details of Security bond to be invariably furnished by non-owner applicants as per instruction 6.)

Names of sureties—(1) } As per Form No. VIII.
(2) }

Survey No. of given as security as per Form IX.

.....

नमुना नंबर ६ मधील अर्ज मंजूर झाल्याची गांवच्या तलाठ्याकडे पाठविण्याची समज.

काल्वा
अर्जाचा नंबर
गांवाचें नांव
सर्व्हे-नंबर
पोट-नंबर
अर्जदाराचें नांव
मंजुरीचें पीक, हंगाम व क्षेत्र

पीक.	हंगाम व मुदत.	क्षेत्र. ए.	गु.
पावसाळी ...			
रबी ...			
उन्हाळी ...			
ऊस ...			
साम न्य बारमाही पीक. ...			

मंजुरीची तारीख व शेरा

कॅनाल ऑफिसर.

तारीख महे सन १९ .

Instructions.

1. This form is to be used for additional waterings only, i.e., for waterings required for areas already sanctioned under any one of the other forms of applications laid down under rule 4 (3) of the Bombay Canal Rules, 1934, for short periods not covered by the respective sanctions.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. The applicant should note in the space provided under entry No. 4 on the form the name and address of the person to whom the order of the Executive Engineer is to be given and whether the order should be sent by post, or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. No sanction on this form will be given for the irrigation of any land for the irrigation of which a seasonal, a perennial, or a block pass has not already been issued or a seasonal perennial or a block application is not submitted along with this form. At No. 3 on the form the applicant must state the number and kind of pass he holds.

6. Any applicant may be required to furnish a Bond in Form VIII executed by suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. He may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

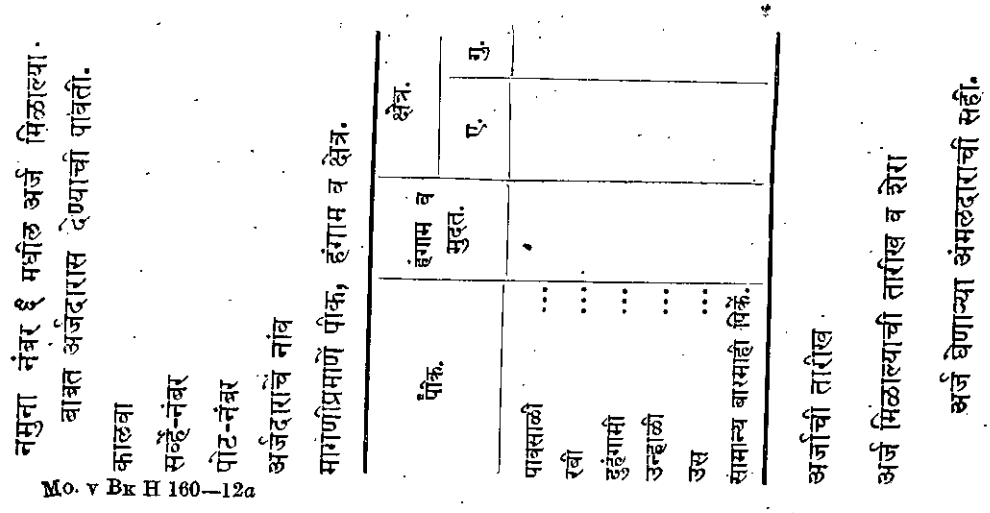
7. The Executive Engineer will ordinarily sanction areas which are multiples of half acre.

Conditions.

1. After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the Executive Engineer whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Executive Engineer within one month from the date of sanction to the application that water is not required.

The sanctioned area shall not be exceeded.

3. The sanction is liable to be cancelled or the supply to any crop irrigated under this anction is liable to be withheld or stopped entirely without notice for breach of any rule of the Bombay Canal Rules, 1934, or of condition 2.



FORM VII.

(Original.)

Ordinary application for water for irrigation.

No. of application

To—The Executive Engineer, Division.

I, , resident of , Taluka , District , make this application for the supply of water from the canal for the purpose of irrigating the undermentioned land hereinafter described subject to the provisions of the Bombay Irrigation Act, 1879, and any other law for the time being in force relating to Irrigation and all the provisions of the Bombay Canal Rules, 1934, and subject to the conditions specified on the reverse of this application to which I agree :—

Name of village गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सर्व्हे-नंबर.	Pot No. पोट-नंबर	Total area of Survey No. or Pot No. सर्व्हे-नंबरचें अगर पोट-नंबरचें एकूण क्षेत्र.	Total area of the holding in Survey No. or Pot No. सर्व्हे-नंबरांतील अगर पोट-नंबरांतील मालकीचें एकूण क्षेत्र.	Total area applied for मागणीचें क्षेत्र.	Name of crop. पिकाचें नांव.	Period for which water is required. ज्या मुदतींत पाणी पाहिजें ती मुदत.
	Channel No. पाटाचा नंबर.	Outlet No. दरवाज्याचा नंबर.							
1	2	3	4	5	6	7	8	9	10
					A. g.	A. g.	A. g.		

2. I am the of the land for which water has been applied for above.

3. I have paid all arrears of water rates up to and including the season of 19 . I am in arrears of water rates for the only.

4. The name and address of person to whom and the manner in which the order on this application should be delivered are :—

Signature or left hand thumb

Date 19

Signature of the witness impression of the applicant.

Signature or left hand thumb impression of the occupant or joint occupants or superior holder or joint superior holders in cases in which the applicant is not the occupant or superior holder

Forwarded for sanction as follows :—

(1) Area to be sanctioned (2) Period of sanction — From

To (3) Water rate to be charged per acre Rs.

Date 19 Sub-Divisional Officer, Sub-Division.

Sanctioned.

Date 19 Executive Engineer, Division.

(*Note.*—Details of Security bond to be invariably furnished by non-owner } applicants as per instruction 7.)

Names of sureties (1) } As per Form No. VIII.

S. No. (2) of given as security as per Form IX.

.....

नमुना नंबर ७ मंजूर झाल्याबाबत गांवच्या तलाठ्याकडे पाठविण्याची समज.

कालवा

अर्जाचा नंबर

गांवाचें नांव

सर्व्हे-नंबर

पोट-नंबर

अर्जदाराचें नांव

मंजूर केलेले क्षेत्र. एकर. गुंठे.

१ पाणी ... ...

पावसाळी ... ...

रबी ... ...

दोनहंगामी ... ...

उन्हाळी ... ...

उस ... ...

सामान्य बारमाही पिके ... ...

मंजुरीची तारीख व रोख

कॅनाल ऑफिसर.

तारीख

Instructions.

1. This form is to be used for such Irrigation only for which no other special form has been prescribed in rule 4 (3) of the Bombay Canal Rules, 1934.

2. The application is to be submitted in duplicate to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. When order is passed, the duplicate form will be returned to the applicant endorsed with the Executive Engineer's final order.

4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

5. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state at No. 3 on the form the season up to and including which he has paid arrears of water rates. If he owes any water rates he must state the seasons or years for which he does so.

6. The applicant should note in the space provided at No. 4 on the form the name and address of the person to whom the order on this form is to be given and whether it should be sent by post, or delivered from any canal office, or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

7. Any applicant may be required to furnish a Bond in Form VIII executed by two suitable sureties or execute a mortgage bond in Form IX as security for the payment of all amounts which may become due in respect of the water to be supplied under the sanction. And he may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

9. The Executive Engineer will ordinarily sanction areas which are multiples of half an acre.

Conditions.

1. After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the Executive Engineer whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Executive Engineer within one month from the date of sanction to the application that water is not required.

2. Each type of crop (namely, sugarcane, pan, ordinary perennial, two season and seasonal) shall be grown only to the extent of the sanction shown on the pass, but an equal area of any lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any rule of the Bombay Canal Rules, 1934, or of any of the conditions of this form of application.

Additional conditions, 5, 6 and 7 for Irrigation Works mentioned in the schedule given below them.

5. Water shall be given for the whole season, if available, or at the discretion of the Executive Engineer, for as many waterings as may be possible.

6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.

7. Where no permanent water channel exists, the irrigator shall allow the construction of a temporary channel through his land, if necessary along a line fixed by the Executive Engineer or his representative, for the benefit of irrigators whose fields are situated below his land :—

SCHEDULE.

Names of tanks or Canals.

Bhatodi Tank.	Kasurdi Tank.	Muchkundi Tank.
Ashti Tank.	Bhadalwadi Tank.	Shirsuphal Tank.
Koregaon Tank.	Matoba Tank.	Parsul Tank.
Pathri Tank.	Kadwa River Works.	Girna Left Bank Canal.
Jamda Canals.	Krishna Canal.	Hathmati and Khari Cut Canals.
Hartala Tank.	Rewari Canal.	Wangorli Tank.
Mhaswa Tank.	Upper Man River Works.	Savli Tank.
Lower Panjhra River Works.	Yerla River Irrigation Works.	Saiat Tank.
Shahada Channel.	Chikhli Canal.	Tranza Nagramma Tank.
Maini Tank Canal.	Mhaswad Tank.	Futelao Tank.
Non-perennial sections of the Mutha Canals.		Muvalia Tank.
Non-perennial sections of the Godavari Canals.		Timba Tank.*
Non-perennial sections of the Pravara Canals.		Goblaj Tank.
Non-perennial sections of the Nira Right Bank Canal.		Galki Tank.

Condition 7 above and 8 below apply to Ekruk tank in addition to conditions 1 to 4.

8. Water for any area of sugarcane sanctioned is subject to the condition that water is liable to be withheld from new sugarcane area after 31st May, if necessary. Each consecutive watering after 31st May shall require the sanction of the Executive Engineer. Such sanction shall be accorded if water is available in the tank for agricultural purposes but if it is insufficent at any time of the seasons all further waterings may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.

.....

अर्जदारास अर्ज मिळाल्याबाबत देण्याची पावती.

नमुना नंबर ७.

काल्वा										
सर्व्हे-नंबर										
पोट-नंबर										
अर्जदाराचें नांव.										
मागणीचें क्षेत्र.	एकर.	गुं								
१ पाणी ...	...									
पावसाळी ...	...									
रबी ...	...									
दोनहंगामी ...	...									
उन्हाळी ...	...									
ऊस ...	...									
सामान्य बारमाही पिकें ...	...									

अर्जाची तारीख

अर्ज मिळाल्याची तारीख व शेरा

अर्ज देणाऱ्या अंमलदाराची सही.

* G. N., P. W. D., No. 2353/27, dated 19th March 1935.

FORM VIII.

Form of Security Bond.

Whereas resident of Taluka District has applied for a supply of water to irrigate the land hereinbelow described, namely :—

Village.	Taluka.	Survey No.	Pot No.	Area of field to be irrigated.	Name of crop or block.	Period of Irrigation.

and whereas he has been required to furnish security for the payment of water rates and other charges :

We resident of Taluka District and resident of Taluka District do hereby delcare ourselves sureties for the abovementioned that he shall duly pay at the prescribed time or times every rate, charge penalty or other sum whatsoever that shall become due from him in respect of the supply of water granted to him in pursuance of his said application ; and in case of his making default therein we, each of us, for himself, his heirs, executors and administrators, agree to pay to the Governor of Bombay such sum not exceeding in the aggregate rupees as shall be demanded of us, or of either of us, or of any heir, executor or administrator of either of us, on account of any such rate, charge, penalty or other sum aforesaid ;

and we do further agree that the amount of any such rate, charge, penalty or other sum aforesaid may, if necessary, be recovered from either of us or from any heir, executor or administrator of either of us, as if the same were an arrear of land revenue due from us, or either of us, to Government.

Dated and signed this day of 19 In the presence of (1)

and (2) (Signature of surety.)

(1) (Signature of witness.)

(2) (Signature of witness.) (Signature of surety.)

FORM IX.

Whereas I resident of Taluka District have applied for a supply of water from the canal to irrigate the land hereinbelow described, namely :—

Village.	Taluka.	Survey No.	Pot No.	Area of field to be irrigated.	Name of crop or block.	Period of irrigation.
				A. g.		

and Whereas I have been required to furnish security for the payment of water rates and other charges in respect of the water supply.

I do hereby mortgage to the Government of Bombay the land hereinbelow described to which I am absolutely entitled free of any encumbrance and of which I am the rightful owner.

District.	Taluka.	Village.	Survey No.	Pot No.	Area of holding in the Survey No.	Remarks.
					A. g.	

and I also hereby agree for myself, my heirs, executors and administratoras that in the event of my failure, to pay any part of the said water rate and other charges at the appointed time and place the Government of Bombay shall be at liberty to cause the said land to be sold and the sale proceeds to be applied in payment of the whole amount that may be outstanding from me at the time of salein respect of the aid supply of water.

And I further agree that it shall be lawful for the Government of Bombay to cause the said land to be sold without the intervention of the Court under section 69 of the Transfer of Property Act, 1882, in case the said water rate and other charges or any part thereof have not been paid by me within 3 months from the date on which a written notice is served on me after the water rate and other charges have become due.

Dated and signed this day of 19 (Signature) in th presence of (1 Name) and (2 Name)

(Signature of witness.) (1)

(Signature of witness.) (2)

FORM X.

Application for exemption from water rates for block.

To—The Executive Engineer, Division.

I , resident of , Taluka in the District, make this application for stopping my supply of water from the canal and exemption of water rates in respect of the block described below :—

Name of village गांवाचें नांव.	Distributing पाणी वाटणाऱ्या		Survey No. सव्हें नंबर.	Pot No. पोट-नंबर.	Block No. ब्लॉक-नंबर.	Plot No. प्लॉट-नंबर.	Reference to the No. of sanctioned block application. मंजूर केलेल्या ब्लॉकचा अर्ज-नंबर.	Area of sanctioned Block. ब्लॉकांतील मंजुरीचें क्षेत्र.	Area for which exemption is required. ज्या क्षेत्रास माफी पाहिजे तें क्षेत्र.	The year for which and brief reasons why exemption is required. माफीचें वर्ष व माफी कां पाहिजे त्याचीं थोडक्यांत कारणें.
	Channel No. पाटाचा नंबर.	Outlet No. दर-वाज्याचा नंबर.								
1	2	3	4	5	6	7	8	9	10	11
								A. g.	A. g.	

2. Name and addressed of the person to whom and the manner in which the order on this application should be delivered are :—

Date 19 Signature or left hand thumb impression of the applicant

Signature of the witness

Forwarded for sanction as follows :—

(1) Area to be exempted—A G (2) Period—From To

Dated 19 Sub-divisional Officer, Sub-division.

Sanctioned.

Date 19 Executive Engineer, Division.

A

कालवा.

ब्लॉकांतील पाणीपट्टीची माफी मिळण्याविषयीं

अर्जदारानें अर्ज केल्यावरून ती मंजूर

झाल्याबद्दल त्यास समज.

गांवाचें नांव

अर्जदाराचें नांव

अर्जाची तारीख

माफी द्यावयास मंजूर केलेल्या प्लॉटाचें एकूण क्षेत्र.						शेरा.	
सव्हें-नंबर.	पोट-नंबर.	ब्लॉक-नंबर.	प्लॉट-नंबर.	माफीच्या प्लॉटाचें एकूण क्षेत्र.	मंजूर केलेल्या माफीची मुदत. पासून	पर्यंत.	

तारीख १९ कॅनाल ऑफिसर.

B

माफीसाठींचा अर्ज पोहोंचल्याची पावती.

माफीचें वर्ष ब्लॉकची जात

माफी मागितलेल्या ब्लॉकचे सव्हें-नंबर

पोट-नंबर

अर्ज पोहोंचल्याची तारीख

अर्ज घेणाऱ्या अंमलदाराची सही.

Instructions.

1. This form is to be used whenever necessary for applying for stoppage of supply of water to the whole or part of a sanctioned block and exemption from water rates in respect of same.

2. The application need not be submitted in duplicate. The application should be submitted to the Executive Engineer or to any officer authorised by him to receive such applications. It may be sent by hand, presented perosnally or sent by post.

3. When an order is passed,counterfoil A of the form will be sent to the applicant with the order recorded on it.

4. The applicant should note in the space provided at No. 2 on the form the name and address of the person to whom the said order is to be given and whether the order shuold be sent by post or delivered from any canal office, or or kept at any office to be called for, postal intimation being sent when it is ready for delivery.

5. This application must be submitted before the dates specified below :—

(*i*) For the first year of the block period.....Within one month from the date of sanction.

(*ii*) For subsequent years of the block period—

(*a*) In respect of sugarcane fruit and garden blocks.....Before 15th November preceding the year beginning from February 15th for which exemption is required.

(*b*) In respect of two-season blocks.....Before 15th September preceding the cold weather season for which exemption is required.

6. When exemption from water rate is granted subsequent permission to irrigate the whole or part of the block area so exempted shall, if water is available, be given only at 1½ times the block rate in the case of sugarcane blocks, 1¼ times the rate prescribed for the cold weather season in the case of two season blocks and 1¼ times the rates prescribed for the cold weather and hot weather seasons in respect of fruit and garden blocks. Subsequent irrigation of seasonal or two season crops in the exempted area of sugarcane blocks only will however be permitted —at the sanctioned rates provided that an application Form VIII is submitted before the dates fixed inaccordance with Canal rule 5 (1) of the Bombay Canal Rules,1934.

G. N., P. W. D., No. 263/36, dated 18th November 1936 (B. G., Pt. I, p. 2510).

In exercise of the powers conferred by rule 3 of the Bombay Canal Rules, 1934, published in Government Notification in the Public Works Department, No. 2353/27, dated the 4th January 1934, the Governor in Council is pleased to exempt permanently the irrigation works mentioned in the Schedule hereto appended from the operation of rules 9, 11 and 12 of the said rules :—

Schedule.

1. Hathmati and Khari Cut Canals.
2. Wangroli Tank.
3. Savli Tank.
4. Saiat Tank.
5. Tranza Nagrama Tanks.
6. Futelao Tank.
7. Goblaj Tank.
8. Galki Tank.
9. Timba Tank.
10. Muvalia Tank.

G. N., R. D., No. 5159, dated 20th April 1918, (B. G., Pt. I).

In exercise of the powers conferred by section 89 of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), the Governor in Council is pleased to make the following rules, namely :— **Bombay Irrigation Record of Rights Rules, 1918.**

1. (1) These rules may be called the Bombay Irrigation Record of Rights Rules, 1918.

(2) In these rules—

(*a*) " Canal Officer " when mentioned with reference to any matter in the rules, means a Canal Officer duly empowered to act in such matter ;

(*b*) " the Act " means the Bombay Irrigation Act, 1879.

2. (*a*) The Record of Rights prepared under section 76 of the Act shall be in Form 1. Form of the Record.

(*b*) It shall be prepared separately for each village.

(*c*) A map shall be attached to each Record, and such map shall be either the ordinary printed village map or a map specially prepared for the purpose, which shall exhibit the source of irrigation, the method of catchment or supply, the line of overflow, the lines of distribution, and the character of the outlets, sluices or other means of regulation and distribution.

3. Under the instruction of the Canal Officer a preliminary Record and map shall be prepared in the form prescribed in rule 1 according to the information obtained under section 76(*1*) of the Act and from local inquiry. Each entry shall be verified by the Canal Officer on the land itself after due notice has been given to the parties concerned. Preparation of a preliminary Record.

4. The preliminary Record and map shall be kept open to inspection in the chavdi or other place in the village used as a chavdi for a period of 3 months from the date on which the village officer shall notify by beat of drum in the village that the Record and map are open to such inspection. Publication and inspection of the preliminary Record.

5. (*a*) Any objection to any entry in the preliminary Record shall be made before the expiry of the period prescribed in rule 4 to the village accountant or other officer authorised by the Canal Officer in this behalf. Objections and appeals.

(*b*) Such officer shall record the substance of each objection on a separate sheet of paper and append it to the preliminary Record ; provided that where the same objection is made by one person or body of persons in respect of several entries or where several persons jointly make the same objection, the objection may at the discretion of the officer be recorded on one sheet.

(*c*) The Canal Officer shall make a summary inquiry into all such objections and pass orders upon them. When any competent civil court has adjudicted upon the dispute, the Canal Officer's decision shall follow such adjudication. Otherwise his decision shall follow the present actual enjoyment and possession of the rights claimed.

(*d*) An appeal will lie from the decision of the Canal Officer to the Assistant or Deputy Collector in charge in of the taluka.

(*e*) The parties shall be informed in writing of the decision passed on an objection or in appeal and the fact of such communication shall be recorded in the proceedings.

Preparation and publication of the final Record.

6. (*a*) After the objections, if any, have been decided, the preliminary Record and map shall be revised in accordance with the decisions passed on the objections or in appeal and shall be submitted to the sub-divisional officer for approval.

(*b*) After approval a fair copy of the Record and map shall be prepared as the Record under the Act and shall be published as provided in section 81 of the Act by beat of drum.

(*c*) The fact of such publication shall be certified on the Record.

Custody of the Record.

7. The Record and map shall be kept in the village records till it is rewritten and thereafter shall be recorded in the taluka record room for a period of 30 years.

Revision of the Record.

8. (*a*) The village accountant shall make an entry in a diary of mutations, to be kept in Form 2, respecting any mistake or change in the particulars contained in the Record or the result of any suit or proceeding referred to in section 83 affecting the Record as soon as such fact comes to his notice.

(*b*) The Canal Officer shall read out the entry to the parties concerned, and after satisfying himself of the correctness of the entry and inspecting the ground when such inspection is relevant, and disposing of any objection raised by the parties, and after the decision of any appeal that may be made, shall revise and certify the entry in Form 2 in accordance with the final decision.

(*c*) Certified entries in Form 2 shall be incorporated in the Record by scoring out the original entry so as not to render it illegible and by writing the correction beneath the cancelled particulars. The number of the entry in Form 2 shall be noted against the revised entry.

(*d*) The revised entry shall be signed by the Cancal Officer and shall be published in the manner prescribed in rule 6.

Rewriting of the Record.

9. (*a*) When in view of the condition of the Record or the number of corrections the Canal Officer is of opinion that the Record should be rewritten, he shall certify all entries up to date in Form 2 and incorporate them in Form 1.

(*b*) A fair copy shall then be prepared, omitting all cancelled entries but including references to the diary of mutations.

(*c*) This copy, after being compared and certified by the Canal Officer, shall be the Record for the purposes of the Act and rules.

(*d*) The diary of mutations shall be recorded in the taluka record room and kept for 30 years.

10. Copies of extracts from the Record shall be given by the Village Accountant in accordance with, and at the same fees as are prescribed in, the rules for the time being in force for the grant of extracts from the Record of Rights maintained under the Bombay Land Revenue Code, 1879. Copies of the map shall be given by the Canal Officer on payment of the fees prescribed for copies of maps granted under that Code.

FORM 1.

(*See* RULE 2.)

Irrigation Record of Rights.

Village *Taluka*

Work

(Here enter description of work and any memorable facts, such as source of water supply and manner of distribution, height of water, manner of rotation, procedure regarding disputes etc.)

Survey number and sub-division.	Area under irrigation.	Water assessment or water share of the consolidated assessment.	Right of the land to water and condition upon which it is enjoyed.	In what way water is actually taken.	Remarks.
1	2	3	4	5	6

(Signature and title of Canal Officer preparing the Record.)

FORM 2.

(*See* RULE 8.)

Diary of mutations in the Irrigation Record of Rights.

Serial number.	Nature of change or correction.	S. No. and Hissas affected.	Notes of enquiry, admission, and orders of Canal Officer, or appellate orders, in disputes.
1	2	3	4